THE

LAWS

OF

MARYLAND,

TO WHICH ARE PREFIXED

THE ORIGINAL CHARTER,

WITH AN

ENGLISH TRANSLATION,

THE BILL OF RIGHTS

AND

CONSTITUTION OF THE STATE,

AS ORIGINALLY ADOPTED BY THE CONVENTION,

ITH THE SEVERAL ALTERATIONS BY ACTS OF ASSEMBLY,

THE DECLARATION OF INDEPENDENCE,

THE ARTICLES OF CONFEDERATION,

THE CONSTITUTION OF THE GENERAL GOVERNMENT,

AND THE AMENDMENTS MADE THERETO,

WITH AN

INDEX

TO THE LAWS, THE BILL OF RIGHTS, AND THE CONSTITUTION.

IN TWO VOLUMES.

REVISED AND COLLECTED, UNDER THE AUTHORITY OF THE LEGISLATURE,
BY WILLIAM KILTY, ATTORNEY AT LAW.

VOLUME I.

ANNAPOLIS:
PRINTED BY *FREDERICK GREEN*, PRINTER TO THE STATE.

1799.

46.
12. 10.
852.

INTRODUCTION.

AT *November ſeſſion, one thouſand ſeven hundred and ninety-eight, the following reſolutions were paſſed by the General Aſſembly of Maryland:*

" RESOLVED, *That William Kilty be and he is hereby appointed to reviſe the acts of aſſembly of this ſtate, and to prepare an edition thereof, including all public acts now in force, in the order in which they paſſed, from the year ſixteen hundred and ninety-two till the end of the preſent ſeſſion, incluſive, inſerting, in the ſame order, the titles of all private acts, and of ſuch public acts as are repealed, have expired, or have ceaſed to have any operation, the time of ſuch repeal, or expiring of each law, to be noted in the margin, as alſo the continuances of ſuch acts as were originally paſſed for a limitted time; to be accompanied with a full and complete index to the whole, compiled in the manner of Bacon's edition of the laws of Maryland, or in that of the Pennſylvania or Virginia laws, which have been ſent to this ſtate, or in ſuch method compounded of thoſe, or other precedents, as the ſaid William Kilty ſhall deem beſt adapted to the purpoſe; that the ſaid edition be completed within the enſuing year, ſo as to be laid before this general aſſembly at their next annual meeting; and that ſuch compenſation be allowed to the ſaid William Kilty, as the work, and the manner in which it may be performed, ſhall appear to merit.*

" RESOLVED, *That the ſaid William Kilty include in ſaid collection the original charter to lord Baltimore, bill of rights, the conſtitution of this ſtate, as originally adopted by the convention, together with the ſeveral alterations that have been made to the ſaid conſtitution by acts of aſſembly, ſince that period.*

" RESOLVED, *That Frederick Green, printer to the ſtate, be directed to print, and procure to be bound, two hundred copies of the ſaid edition of the laws, under the direction of the ſaid William Kilty; and that the governor and council be empowered, by order on the treaſury, to advance to the printer, out of any unappropriated money, ſuch ſum or ſums as may be neceſſary for the purpoſe.*

" RESOLVED, *That William Kilty, in addition to the laws which he is appointed to reviſe, do cauſe to be printed the declaration of independence, the articles of confederation, and the conſtitution of the general government, with the amendments which have been made thereto.*

" RESOLVED, *That the clerk of the general court be and he is hereby directed to furniſh the ſaid William Kilty with copies of ſuch acts (not already printed,) as he may require, and to compare and examine, under his direction, ſuch acts as have not been heretofore examined and compared with the records in the office of the general court.*"

In purſuance of the above reſolutions, the preſent edition of the laws has been prepared, in which it has been the endeavour of the editor to comply with the directions of the legiſlature to the utmoſt of his ability.

These directions have been his general guide; but he deems it neceſſary to give a particular explanation of the manner in which he has applied them in the proſecution of his undertaking.

When the titles *only of laws are given, notes are made under the* private acts, *and under thoſe which are* repealed *or have* expired; *and thoſe acts under which no notes are made, are to be conſidered as having (in the words of the reſolution,)* ceaſed to have any operation.

The continuances *of acts originally paſſed for a limitted time have been carefully traced and noted; and it is only neceſſary to remark, that in order to avoid the frequent repetition of continuances beyond the date, "to the end of the next ſeſſion thereafter," that mode of continuance is deſignated in the notes by an &c.*

The index has been particularly attended to, and no exertion has been wanting to render it conformable to the deſire of the legiſlature, as expreſſed in their reſolution.

The laws prior to the ſeſſion of 1765, *having been before examined, were printed as they ſtood in the former edition, after the correction of ſome errors of the preſs; and the laws ſince that period have been compared and examined with the records in the office of the general court, and (where it was practicable,) with the original bills.*

It has been neceſſary, under the terms of the reſolution, to procure copies of, and to print, ſome of the laws which had been heretofore omitted; but in order to avoid the alternative of printing long acts which might have ceaſed to operate, or giving only the titles, where a knowledge of the object might be required, ſome of the abſtracts *in the former editions, reſpecting towns and pariſhes, have been retained.*

The charter is printed, with the tranſlation, as heretofore publiſhed. The bill of rights, and the conſtitution, are inſerted, with the alterations which have been made to them. They have been carefully traced, and are noted under ſuch parts as they appear to have affected, with references to the particular acts, which are inſerted in the order in which they paſſed, and collectively at the end of the conſtitution.

The conſtitution of the general government, and the amendments, are copied from thoſe publiſhed during the year ſeventeen hundred and ninety-nine by order of the houſe of repreſentatives; but it did not appear eſſential to note the amendments under the different ſections.

The declaration of independence, and the articles of confederation, are publiſhed in the order which the reſolution preſcribes.

The ſize of the paper and the type, appeared, on conſideration, to be the beſt adapted to the nature and extent of the work. It has from neceſſity filled two volumes; and from the expediency of placing the whole of the index in the ſecond, the ſeveral public inſtruments have been prefixed to the laws, in the firſt.

With theſe obſervations, the edition of the laws prepared under the above reſolutions, is reſpectfully ſubmitted to the general aſſembly.

W. KILTY.

THE

THE CHARTER OF THE PROVINCE OF MARYLAND.

THE CHARTER OF MARYLAND.

CAROLUS Dei Gratia Angliæ Scotiæ Franciæ et Hiberniæ REX fidei defenſor, &c. Omnibus ad quos præſentes litteræ noſtræ pervenerint SALUTEM.

II. CUM perdilectus et perquam fidelis ſubditus noſter Cæcilius Calvert baro de Baltimore in regno noſtro Hiberniæ filius et hæres Georgii Calvert militis nuper baronis de Baltimore in eodem regnô Hiberniæ patris inhærens veſtigiis laudabili quôdam et piô chriſtianam religionem pariter et imperii noſtri territoria dilatandi ſtudiô flagrans licentiam nobis ut copioſam Anglicanæ gentis coloniam induſtriâ ac impenſâ ſuâ ad certam quandam regionem inferius deſcribendam in terrâ quâdam in partibus Americæ hactenus incultâ et barbaris nullam Divini Numinis Notitiam habentibus in partibus occupatâ deducere poſſit totamq; illam regionem cum certis quibuſdam privilegiis et juriſdictionibus ad coloniæ ſuæ et regionis prædictæ ſalubre regimen et ſtatum pertinentibus a regiâ noſtrâ celſitudine ſibi et hæredibus ſuis dari concedi et confirmari humiliter ſupplicaverit.

III. SCIATIS igitur quod NOS pium et nobile præfatorum baronum de Baltimore propoſitum et ſtudium regio favore proſequentes ex gratiâ ſpeciali certâ ſcientia et mero motu noſtris dedimus conceſſimus et confirmavimus et per hanc præſentem chartam noſtram pro NOBIS hæredibus et ſucceſſoribus noſtris præfato Cæcilio modo baroni de Baltimore hæredibus et aſſignatis ſuis damus concedimus et confirmamus totam illam partem peninſulæ ſive Cherſoneſi jacentis in partibus Americæ, inter oceanum ex oriente et ſinum de Cheſopeake ab occidente à reſiduo ejuſdem per rectam lineam à promontorio ſive capite terræ vocato Watkin's Point juxta ſinum prædictum prope fluvium de Wighco ſcituato ab occidente uſque ad magnum oceanum in plaga orientali ductam diviſam et inter metam illam à meridie uſque ad partem illam eſtuarii de Delaware ab aquilone quæ ſubjacet quadrageſimo gradui latitudinis ſeptentrionalis ab æquinoctiali ubi terminatur Nova Anglia totumque illius terræ tractum infra metas ſubſcriptas (videlicet) tranſeundo à dicto æſtuario vocato Delaware bay rectâ lineâ per gradum prædictum uſque ad verum meridianum primi fontis fluminis de Pattowmack deinde vergendo verſus meridiem ad ulteriorem dicti fluminis ripam et eam ſequendo qua plaga occidentalis ad meridionalem ſpectat uſque ad locum quendam appellatum Cinquack prope ejuſdem fluminis oſtium ſcituatum ubi in præfatum ſinum de Cheſſopeake evolvitur ac inde per lineam breviſſimam uſque ad prædictum promontorium ſive locum vocatum Watkin's Point ita quód totus terræ tractus per lineam prædictam inter magnum oceanum et Watkin's Point diviſus uſque ad promontorium vocatum Cape Charles et ſingula ſua appenditia NOBIS hæredibus et ſucceſſoribus noſtris integre remaneant excepta imperpetuum.

IV. NEC NON omnes inſulas et inſululas infra limites prædictos concedimus etiam et confirmamus eidem baroni de Baltimore hæredibus et aſſignatis ſuis omnes et ſingulas inſulas et inſululas ab orientali prædictæ regionis littore orientem verſus in mari natas vel naſcendas infra decem leucas marinas ab eôdem littore ſcituatas cum omnibus et ſingulis portubus navium ſtationibus æſtuariis fluminibus et fretis ad regionem vel inſulas prædictas pertinentibus omneſque fundos terræ campeſtria ſylvas montana paludes lacus flumina æſtuaria et freta infra metas terminos et limites prædictos ſcituata ſeu exiſtentia cum cujuſcunque generis piſcium tam balænarum ſturgeonum et aliorum regalium quam aliorum in mari ſinubus fretis vel fluminibus infra præmiſſa piſcationibus et piſcibus ibidem captis omneſque inſuper auri argenti gemmarum et lapidum pretioſorum et alias quaſcunque ſive lapidum ſive metallorum ſive alterius cujuſcunque rei aut materiæ venas mineras et fodinas tam apertas quam occultas infra regionem inſulas ſeu limites prædictos repertas et reperiendas et hoc amplius omnium eccleſiarum quas (creſcente Chriſti cultu et religione) infra dictam regionem inſulas inſululas et limites prædictos futuris temporibus ædificari contigerit patronatus et advocationes una cum licentiâ et facultate eccleſias capellas et oratoria, in locis infra præmiſſa congruis et idoneis extruendi et fundandi eaque dedicari et ſacrari juxta leges eccleſiaſticas regni noſtri Angliæ faciendi cum omnibus et ſingulis hujuſmodi ac adeo amplis juribus juriſdictionibus privilegiis prærogativis regalitatibus libertatibus immunitatibus juribuſque regalibus et franchefiis quibuſcumque temporalibus tam per mare quam per terram infra regionem inſulas inſululas et limites prædictos habendis exercendis utendis et gaudendis prout aliquis epiſcopus Dunelmenſis infra epiſcopatum ſive comitatum palatinum Dunelmenſem in regno noſtro Angliæ unquam antehac habuit tenuit uſus vel gaviſus fuit ſeu de jure habere tenere uti vel gaudere debuit aut potuit.

V. IPSUMQUE

R Waters

THE CHARTER OF MARYLAND.

CHARLES, by the Grace of God, of England, Scotland, France and Ireland, King, Defender of the Faith, &c. To all to whom theſe preſents ſhall come, GREETING.

II. WHEREAS our well beloved and right truſty ſubject Cæcilius Calvert, baron of Baltimore, in our kingdom of Ireland, ſon and heir of George Calvert, knight, late baron of Baltimore, in our ſaid kingdom of Ireland, treading in the ſteps of his father, being animated with a laudable and pious zeal for extending the chriſtian religion, and alſo the territories of our empire, hath humbly beſought leave of US, that he may tranſport, by his own induſtry and expence, a numerous colony of the Engliſh nation, to a certain region, herein after deſcribed, in a country hitherto uncultivated, in the parts of America, and partly occupied by ſavages, having no knowledge of the Divine Being, and that all that region, with ſome certain privileges and juriſdictions, appertaining unto the wholeſome government, and ſtate of his colony and region aforeſaid, may by our royal highneſs be given, granted, and confirmed unto him, and his heirs.

III. KNOW YE therefore, that WE, encouraging with our royal favour, the pious and noble purpoſe of the aforeſaid barons of Baltimore, of our ſpecial grace, certain knowledge, and mere motion, have given, granted and confirmed, and by this our preſent charter, for US, our heirs and ſucceſſors, do give, grant and confirm, unto the aforeſaid Cæcilius, now baron of Baltimore, his heirs and aſſigns, all that part of the peninſula, or cherſoneſe, lying in the parts of America, between the ocean on the eaſt, and the bay of Cheſopeake on the weſt, divided from the reſidue thereof by a right line drawn from the promontory, or head-land, called Watkin's Point, ſituate upon the bay aforeſaid, near the river of Wighco, on the weſt, unto the main ocean on the eaſt; and between that boundary on the ſouth, unto that part of the bay of Delaware on the north, which lieth under the fortieth degree of north latitude from the æquinoctial, where New England is terminated: And all the tract of that land within the metes underwritten, (that is to ſay,) paſſing from the ſaid bay, called Delaware bay, in a right line, by the degree aforeſaid, unto the true meridian of the firſt fountain of the river of Pattowmack, thence verging towards the ſouth, unto the further bank of the ſaid river, and following the ſame on the weſt and ſouth, unto a certain place called Cinquack, ſituate near the mouth of the ſaid river, where it diſembogues into the aforeſaid bay of Cheſſopeake, and thence by the ſhorteſt line unto the aforeſaid promontory or place, called Watkin's Point; ſo that the whole tract of land, divided by the line aforeſaid, between the main ocean, and Watkin's Point, unto the promontory called Cape Charles, and every the appendages thereof, may entirely remain excepted for ever to US, our heirs and ſucceſſors.

IV. ALSO WE do grant, and likewiſe confirm unto the ſaid baron of Baltimore, his heirs and aſſigns, all iſlands and iſlets within the limits aforeſaid, all and ſingular the iſlands and iſlets, from the eaſtern ſhore of the aforeſaid region, towards the eaſt, which have been, or ſhall be formed in the ſea, ſituate within ten marine leagues from the ſaid ſhore; with all and ſingular the ports, harbours, bays, rivers, and ſtraits, belonging to the region or iſlands aforeſaid, and all the ſoil, plains, woods, mountains, marſhes, lakes, rivers, bays, and ſtraits, ſituate, or being within the metes, bounds and limits aforeſaid, with the fiſhings of every kind of fiſh, as well of whales, ſturgeons, and other royal fiſh, as of other fiſh, in the ſea, bays, ſtraits or rivers, within the premiſſes, and the fiſh there taken: And moreover all veins, mines, and quarries, as well opened as hidden, already found, or that ſhall be found within the region, iſlands or limits aforeſaid, of gold, ſilver, gems and precious ſtones, and any other whatſoever, whether they be of ſtones, or metals, or of any other thing or matter whatſoever: And furthermore the patronages, and advowſons of all churches which (with the increaſing worſhip and religion of Chriſt) within the ſaid region, iſlands, iſlets and limits aforeſaid, hereafter ſhall happen to be built, together with licence and faculty of erecting and founding churches, chapels, and places of worſhip, in convenient and ſuitable places, within the premiſſes, and of cauſing the ſame to be dedicated and conſecrated according to the eccleſiaſtical laws of our kingdom of England, with all, and ſingular ſuch, and as ample rights, juriſdictions, privileges, prerogatives, royalties, liberties, immunities, and royal rights, and temporal franchiſes whatſoever, as well by ſea as by land, within the region, iſlands, iſlets and limits aforeſaid, to be had, exerciſed, uſed and enjoyed, as any biſhop of Durham, within the biſhoprick or county palatine of Durham, in our kingdom of England, ever heretofore hath had, held, uſed or enjoyed, or of right could, or ought to have, hold, uſe or enjoy.

V. AND

V. IPSUMQUE modo baronem de Baltimore et hæredes ſuos regionis prædictæ cæterorumque omnium præmiſſorum veros et abſolutos dominos et proprietarios (exceptis præ exceptis,) ſalvâ ſemper fide et ligeanciâ ac dominio directo NOBIS hæredibus et ſucceſſoribus noſtris debitis pro NOBIS hæredibus et ſucceſſoribus noſtris facimus creamus et conſtituimus per præſentes habendum tenendum poſſidendum et gaudendum prædictam regionem inſulas inſululas et cætera præmiſſa præfato modo baroni de Baltimore et hæredibus et aſſignatis ſuis ad ſolum et proprium opus et uſum ipſius modo baronis de Baltimore hæredum et aſſignatorum ſuorum imperpetuum Tenendum de NOBIS hæredibus et ſucceſſoribus noſtris regibus Angliæ ut de caſtro noſtro de Windſor in comitatu noſtro Berkeiæ in libero et communi ſoccagio per fidelitatem tantum pro omnibus ſervitiis et non in capite nec per ſervitium militare Reddendo inde NOBIS hæredibus et ſucceſſoribus noſtris duas ſagittas Indicas partium illarum apud dictum caſtrum de Windſor ſingulis annis tradendas in Die Martis in ſeptimana Paſchæ Ac etiam quintam partem omnis metalli aurei et argentei Anglicè *of gold and ſilver ore*, quod infra prædictos limites de tempore in tempus contigerit inveniri.

VI. UT vero prædicta regio ſic a NOBIS conceſſa et deſcripta cæteris omnibus illius terræ regionibus præfulgeat et amplioribus titulis decoretur SCIATIS quod NOS de ampliori gratiâ noſtrâ certâ ſcientiâ et mero motu noſtris dictam regionem ac inſulas in provinciam erigendas eſſe duximus prout eas ex plenitudine poteſtatis et prærogativæ noſtræ regiæ pro NOBIS hæredibus et ſucceſſoribus noſtris in provinciam erigimus et incorporamus eamque Terram Mariæ Anglicè MARYLAND nominamus et ſic in futuro nominari volumus.

VII. ET quoniam præfatum modo baronem de Baltimore totius provinciæ antedictæ verum dominum et proprietarium ſuperius fecimus et ordinavimus ulterius igitur SCIATIS quod NOS pro NOBIS, hæredibus et ſucceſſoribus noſtris eidem modo Baroni (de cujus fide prudentiâ juſtitiâ et providâ animi circumſpectione plurimum confidimus) et hæredibus ſuis pro bono et fælici dictæ provinciæ regimine leges quaſcunque ſive ad publicum ejuſdem provinciæ ſtatum ſive ad privatam ſingulorum utilitatem pertinentes juxta ſanas diſcretiones ſuas de et cum conſilio aſſenſu et approbatione liberorum hominum ejuſdem provinciæ vel majoris partis eorundem vel eorum legatorum vel deputatorum quos ad leges condendas quum et quoties opus fuerit à præfato modo barone de Baltimore ac hæredibus ſuis ac in formâ quæ illi vel illis melior eſſe videbitur convocari volumus condendi faciendi edendi et ſub ſigillo prædicti modo baronis de Baltimore ac hæredum ſuorum promulgandi eaſque in omnes homines infra dictam provinciam et limites ejuſdem pro tempore exiſtentes vel ſub illius vel illorum regimine et poteſtate Terram Mariæ verſus navigantes aut inde redeuntes extra vel ad terram Angliæ vel extra vel ad aliqua alia dominia noſtra vel aliena ubilibet conſtituta per mulctarum impoſitionem incarcerationem et aliam quamlibet coercionem etiam ſi oporteat et delicti qualitas id exigerit per membri vel vitæ privationem per ſe præfatum modo baronem de Baltimore et hæredes ſuos ſeu per deputatum locum-tenentem judices juſticiarios magiſtratos officiarios et miniſtros ſuos ſecundum tenorem ac veram intentionem præſentium conſtituendos et conficiendos debitè exequendi judiceſque et juſticiarios magiſtratos et officiarios quoſcunque ad quaſcunque cauſas et cum quâcunque poteſtate et in formâ quæ præfato modo baroni de Baltimore vel hæredibus ſuis melior eſſe videbitur terrâ illâ ac partium illarum mari conſtituendi et ordinandi crimina item et exceſſus quoſcunque contra hujuſmodi leges ſive ante judicium acceptum ſive poſt remittendi relaxandi et pardonandi et abolendi cæteraque omnia alia et ſingula ad juſtitiæ complementum curiaſque prætoria et tribunalia judiciorum formas et procedendi modos pertinentia etiam ſi de illis expreſſa in preſentibus non fiat mentio ac in curiis prætoriis et tribunalibus illis in actionibus ſectis cauſis et negotiis quibuſcunque tam criminalibus quam perſonalibus realibus et mixtis ac prætoriis procedendi placita tenendi et terminandi per judices per ipſos delegatos liberam plenam et omnimodam tenore præſentium concedimus poteſtatem Quas quidem leges ſic ut præmittitur promulgandas abſolutiſſimâ juris firmitate niti et ab omnibus hominibus ſubditis et ligeis noſtris hæredum et ſucceſſorum noſtrorum quatenus eas concernunt in partibus illis cuſtodiri et ſub pœnis in eiſdem expreſſis et exprimendis inviolabiliter obſervari volumus injungimus præcipimus et mandamus Ita tamen quod leges prædictæ ſint rationi conſonæ et non ſint repugnantes nec contrariæ ſed (quoad convenienter fieri poterit) conſentaneæ legibus ſtatutis conſuetudinibus ac juribus hujus regni noſtri Angliæ.

VIII. ET quoniam in tantæ provinciæ regimine repentini caſus ſæpenumero contingant quibus neceſſè erit remedium adhiberi antequam liberi tenentes dictæ provinciæ legati vel deputati ſui ad leges condendas convocari poſſint nec idoneum erit continuò tali caſu emergente tantum populum convocari Idcirco pro meliori gubernatione tantæ provinciæ volumus et ordinamus ac per præſentes pro

NOBIS

V. AND WE do by theſe preſents, for US, our heirs and ſucceſſors, make, create, and conſtitute HIM, the now baron of Baltimore, and his heirs, the true and abſolute lords and proprietaries of the region aforeſaid, and of all other the premiſſes, (except the before excepted,) ſaving always the faith and allegiance and ſovereign dominion due to US, our heirs and ſucceſſors, to have, hold, poſſeſs and enjoy, the aforeſaid region, iſlands, iſlets, and other the premiſſes, unto the aforeſaid now baron of Baltimore, and to his heirs and aſſigns, to the ſole and proper behoof and uſe of him, the now baron of Baltimore, his heirs and aſſigns, for ever: To hold of US, our heirs and ſucceſſors, kings of England, as of our caſtle of Windſor, in our county of Berks, in free and common ſoccage, by fealty only for all ſervices, and not *in capite*, nor by knight's ſervice, yielding therefore unto US, our heirs and ſucceſſors two Indian arrows of thoſe parts, to be delivered at the ſaid caſtle of Windſor, every year, on Tueſday in Eaſter-week; and alſo the fifth part of all gold and ſilver ore, which ſhall happen from time to time, to be found within the aforeſaid limits.

VI. Now, that the aforeſaid region, thus by us granted and deſcribed, may be eminently diſtinguiſhed above all other regions of that territory, and decorated with more ample titles, KNOW YE, that WE, of our more eſpecial grace, certain knowledge, and mere motion, have thought fit that the ſaid region and iſlands be erected into a province, as out of the plenitude of our royal power and prerogative, WE do, for US, our heirs and ſucceſſors, erect and incorporate the ſame into a province, and nominate the ſame MARYLAND, by which name WE will that it ſhall from henceforth be called.

VII. AND foraſmuch as WE have above made and ordained the aforeſaid now baron of Baltimore, the true lord and proprietary of the whole province aforeſaid, KNOW YE therefore further, that WE, for US, our heirs and ſucceſſors, do grant unto the ſaid now baron, (in whoſe fidelity, prudence, juſtice, and provident circumſpection of mind, we repoſe the greateſt confidence,) and to his heirs, for the good and happy government of the ſaid province, free, full, and abſolute power, by the tenor of theſe preſents, to ordain, make, and enact laws, of what kind ſoever, according to their ſound diſcretions, whether relating to the public ſtate of the ſaid province, or the private utility of individuals, of and with the advice, aſſent, and approbation of the free-men of the ſame province, or of the greater part of them, or of their delegates or deputies, whom WE will ſhall be called together for the framing of laws, when, and as often as need ſhall require, by the aforeſaid now baron of Baltimore, and his heirs, and in the form which ſhall ſeem beſt to him or them, and the ſame to publiſh under the ſeal of the aforeſaid now baron of Baltimore, and his heirs, and duly to execute the ſame upon all perſons, for the time being, within the aforeſaid province, and the limits thereof, or under his or their government and power, in ſailing towards Maryland, or thence returning, outward bound, either to England, or elſewhere, whether to any other part of our, or of any foreign dominions, whereſoever eſtabliſhed, by the impoſition of fines, impriſonment, and other puniſhment whatſoever; even if it be neceſſary, and the quality of the offence require it, by privation of member, or life, by him the aforeſaid now baron of Baltimore, and his heirs, or by his or their deputy, lieutenant, judges, juſtices, magiſtrates, officers and miniſters, to be conſtituted and appointed according to the tenor and true intent of theſe preſents, and to conſtitute and ordain judges, juſtices, magiſtrates and officers, of what kind, for what cauſe, and with what power ſoever, within that land, and the ſea of thoſe parts, and in ſuch form as to the ſaid now baron of Baltimore, or his heirs, ſhall ſeem moſt fitting: And alſo to remit, releaſe, pardon and aboliſh, all crimes and offences whatſoever againſt ſuch laws, whether before, or after judgment paſſed; and to do all and ſingular other things belonging to the completion of juſtice, and to courts, prætorian judicatories, and tribunals, judicial forms and modes of proceeding, although expreſs mention thereof in theſe preſents be not made; and, by judges by them delegated, to award proceſs, hold pleas, and determine in thoſe courts, prætorian judicatories, and tribunals, in all actions, ſuits, cauſes, and matters whatſoever, as well criminal as perſonal, real and mixed, and prætorian: Which ſaid laws, ſo to be publiſhed as aboveſaid, WE will, enjoin, charge and command, to be moſt abſolute and firm in law, and to be kept in thoſe parts by all the ſubjects and liege-men of US, our heirs and ſucceſſors, ſo far as they concern them, and to be inviolably obſerved under the penalties therein expreſſed, or to be expreſſed. So nevertheleſs, that the laws aforeſaid be conſonant to reaſon, and be not repugnant or contrary, but (ſo far as conveniently may be) agreeable to the laws, ſtatutes, cuſtoms and rights of this our kingdom of England.

VIII. AND foraſmuch as, in the government of ſo great a province, ſudden accidents may frequently happen, to which it will be neceſſary to apply a remedy, before the freeholders of the ſaid province, their delegates or deputies, can be called together for the framing of laws; neither will it be fit that ſo great a number of people ſhould immediately, on ſuch emergent occaſion, be called together,

NOBIS hæredibus et ſucceſſoribus noſtris præfato modo baroni de Baltimore et hæredibus ſuis concedimus quod præfatus modo baro de Baltimore et hæredes ſui per ſe vel per magiſtratus et officiarios in eâ parte debitè ut præfertur conſtituendos ordinationes idoneas et ſalubres de tempore in tempus facere et conſtituere poſſint et valeant infra provinciam prædictam cuſtodiendas et obſervandas tam pro cuſtodiâ pacis quam pro meliori regimine populi ibidem degentis eaſque omnibus quos eædem aliqualiter tangunt ſeu tangere poſſint publicè innoteſcere Quas quidem ordinationes infra dictam provinciam inviolabiliter obſervari Volumus ſub pœnis in eiſdem exprimendis Ita quod eædem ordinationes ſint rationi conſonæ et non ſint repugnantes nec contrariæ ſed (quoad convenienter fieri poteſt) conſentaneæ legibus ſtatutis aut juribus regni noſtri Angliæ Et ita quod eædem ordinationes ſe non extendant ad jus vel intereſſe alicujus perſonæ ſive aliquarum perſonarum de aut in membro vitâ libero tenemento bonis ſeu cattalis aliqualiter aſtringendum ligandum onerandum ſeu tollendum.

IX. PORRO ut nova colonia populi eâdem confluentis multitudine fælicius creſcat pariter et à barbarorum aliorumve hoſtium piratorum et prædonum incurſibus firmius muniatur Idcirco NOS pro NOBIS hæredibus et ſucceſſoribus noſtris omnibus hominibus et ſubditis noſtris hæredum et ſucceſſorum noſtrorum ligeis præſentibus et futuris nisi quibus id ſpecialiter fuerit interdictum ſe familiaſque ſuas ad dictam provinciam cum idoneis navigiis et commeatu congruo transferendi ſedeſque ſuas ibidem collocandi incolendi et inhabitandi caſtraque et caſtella ſeu alia fortalitia ad præfati modo baronis de Baltimore et hæredum ſuorum arbitrium pro defenſione publicâ et ſuâ exſtruendi et muniendi facultatem licentiam et libertatem damus et concedimus per præſentes ſtatuto de fugitivis vel aliis quibuſcunque in contrarium præmiſſorum in aliquo non obſtantibus.

X. VOLUMUS etiam et ex uberiori gratiâ noſtrâ pro NOBIS hæredibus et ſucceſſoribus noſtris firmiter præcipimus conſtituimus ordinamus et mandamus quod dicta provincia de noſtrâ ligeanciâ ſit quodque omnes et ſinguli ſubditi ac ligei noſtri hæredum et ſucceſſorum noſtrorum in præfatam provinciam deducti vel deducendi ipſorum et aliorum de ipſis deducentium liberi ibidem ſeu jam nati ſeu impoſterum naſcendi ſint et erunt indigenæ et ligei noſtri hæredum et ſucceſſorum noſtrorum regni noſtri Angliæ et Hiberniæ Ac in omnibus teneantur tractentur reputentur et habeantur tanquam fideles ligei noſtri ac hæredum et ſucceſſorum noſtrorum infra regnum noſtrum Angliæ oriundi nec non terras tenementa reventiones ſervitia et alia hæreditamenta quæcunque infra regnum noſtrum Angliæ ac alia dominia noſtra hæreditare ſeu aliter perquirere recipere capere habere tenere emere et poſſidere ac eis uti et gaudere eaque dare vendere alienare et legare Ac etiam omnia privilegia franchefias et libertates hujus regni noſtri Angliæ liberè quietè et pacificè habere et poſſidere eiſque uti et gaudere poſſint tanquam ligei noſtri infra dictum regnum noſtrum Angliæ nati ſeu oriundi abſque impedimento moleſtatione vexatione impetitione ſive gravamine NOSTRI hæredum vel ſucceſſorum noſtrorum quorumcunque aliquo ſtatuto actu ordinatione ſeu proviſione in contrarium inde non obſtante.

XI. PRÆTEREA ut ſubditi noſtri ad expeditionem hanc prompto et alacri animo ſuſcipiendam incitentur Sciatis quod NOS de gratiâ noſtrâ ſpeciali ex certa ſcientiâ et mero motu noſtris tam præfato modo baroni de Baltimore et hæredibus ſuis quam aliis omnibus de tempore in tempus habitandi vel cum incolis provinciæ prædictæ commercium habendi cauſâ in provinciam illam profecturis omnia et ſingula ſua bona tam mobilia quam immobilia merces et mercimonia annonam etiam generis cujuſcunque aliaque ad victum et veſtitum neceſſaria quæcunque per leges et ſtatuta regnorum et dominiorum noſtrorum extra eadem regna deportari non prohibita in quibuſcunque portubus noſtris hæredum et ſucceſſorum noſtrorum in naves imponendi et onerandi et in dictam provinciam per ſe vel ſervos aut aſſignatos ſuos traducendi abſque impedimento vel moleſtatione NOSTRI hæredum vel ſucceſſorum noſtrorum vel aliquorum officiariorum noſtrorum hæredum vel ſucceſſorum noſtrorum (ſalvis NOBIS hæredibus et ſucceſſoribus noſtris impoſitionibus ſubſidiis cuſtumis et aliis pro eiſdem rebus et merchandizis debitis et ſolubilibus) plenam tenore præſentium licentiam damus et concedimus aliquo ſtatuto actu ordinatione aut aliâ re quâcunque in contrarium non obſtante.

XII. QUIA verò in tam longinquâ regione inter tot barbaras nationes poſitâ tam ipſorum barbarorum quam aliorum hoſtium piratarum et prædonum incurſus veriſimiliter timeri poterint Idcirco præfato modo baroni de Baltimore ac hæredibus et aſſignatis ſuis per ſe vel per capitaneos aut alios officiarios ſuos omnes homines cujuſcunque conditionis aut undecunque oriundos in dictâ provinciâ de Terra Mariæ pro tempore exiſtentes ad vexilla vocandi delectus habendi bella gerendi hoſteſque et prædones

gether, WE therefore, for the better government of ſo great a province, do will and ordain, and by theſe preſents, for US, our heirs and ſucceſſors, do grant unto the ſaid now baron of Baltimore, and to his heirs, that the aforeſaid now baron of Baltimore, and his heirs, by themſelves, or by their magiſtrates and officers, thereunto duly to be conſtituted as aforeſaid, may, and can make and conſtitute fit and wholeſom ordinances from time to time, to be kept and obſerved within the province aforeſaid, as well for the conſervation of the peace, as for the better government of the people inhabiting therein, and publicly to notify the ſame to all perſons whom the ſame in any wiſe do or may affect. Which ordinances WE will to be inviolably obſerved within the ſaid province, under the pains to be expreſſed in the ſame: So that the ſaid ordinances be conſonant to reaſon, and be not repugnant nor contrary, but (ſo far as conveniently may be done) agreeable to the laws, ſtatutes, or rights of our kingdom of England: And ſo that the ſame ordinances do not, in any ſort, extend to oblige, bind, charge, or take away the right or intereſt of any perſon or perſons, of, or in member, life, freehold, goods or chattels.

IX. FURTHERMORE, that the new colony may more happily increaſe by a multitude of people reſorting thither, and at the ſame time may be more firmly ſecured from the incurſions of ſavages, or of other enemies, pirates and ravagers: WE therefore, for US, our heirs and ſucceſſors, do by theſe preſents give and grant power, licence and liberty, to all the liege-men and ſubjects, preſent and future, of US, our heirs and ſucceſſors, except ſuch to whom it ſhall be expreſsly forbidden, to tranſport themſelves and their families to the ſaid province, with fitting veſſels, and ſuitable proviſions, and therein to ſettle, dwell and inhabit; and to build and fortify caſtles, forts, and other places of ſtrength, at the appointment of the aforeſaid now baron of Baltimore, and his heirs, for the public and their own defence; the ſtatute of fugitives, or any other whatſoever to the contrary of the premiſſes in any wiſe notwithſtanding.

X. WE will alſo, and of our more abundant grace, for US, our heirs and ſucceſſors, do firmly charge, conſtitute, ordain and command, that the ſaid province be of our allegiance; and that all and ſingular the ſubjects and liege-men of US, our heirs and ſucceſſors, tranſplanted, or hereafter to be tranſplanted into the province aforeſaid, and the children of them, and of others their deſcendants, whether already born there, or hereafter to be born, be and ſhall be natives and liege-men of US, our heirs and ſucceſſors, of our kingdom of England and Ireland; and in all things ſhall be held, treated, reputed, and eſteemed as the faithful liege-men of US, and our heirs and ſucceſſors, born within our kingdom of England; alſo lands, tenements, revenues, ſervices, and other hereditaments whatſoever, within our kingdom of England, and other our dominions, to inherit, or otherwiſe purchaſe, receive, take, have, hold, buy and poſſeſs, and the ſame to uſe and enjoy, and the ſame to give, ſell, alien and bequeath; and likewiſe all privileges, franchiſes and liberties of this our kingdom of England, freely, quietly, and peaceably to have and poſſeſs, and the ſame may uſe and enjoy in the ſame manner as our liege-men born, or to be born within our ſaid kingdom of England, without impediment, moleſtation, vexation, impeachment, or grievance of US, or any of our heirs or ſucceſſors; any ſtatute, act, ordinance or proviſion, to the contrary thereof notwithſtanding.

XI. FURTHERMORE, that our ſubjects may be incited to undertake this expedition with a ready and chearful mind: KNOW YE, that WE, of our eſpecial grace, certain knowledge, and mere motion, do, by the tenor of theſe preſents, give and grant, as well to the aforeſaid baron of Baltimore, and to his heirs, as to all other perſons who ſhall from time to time repair to the ſaid province, either for the ſake of inhabiting, or of trading with the inhabitants of the province aforeſaid, full licence to ſhip and lade in any the ports of US, our heirs and ſucceſſors, all and ſingular their goods, as well moveable as immoveable, wares and merchandiſes, likewiſe grain of what ſort ſoever, and other things whatſoever neceſſary for food and cloathing, by the laws and ſtatutes of our kingdoms and dominions, not prohibited to be tranſported out of the ſaid kingdoms; and the ſame to tranſport, by themſelves, or their ſervants or aſſigns, into the ſaid province, without the impediment or moleſtation of US, our heirs or ſucceſſors, or of any officers of US, our heirs or ſucceſſors, (ſaving unto US, our heirs and ſucceſſors, the impoſitions, ſubſidies, cuſtoms, and other dues payable for the ſame goods and merchandiſes,) any ſtatute, act, ordinance, or other thing whatſoever to the contrary notwithſtanding.

XII. BUT becauſe, that in ſo remote a region, placed among ſo many barbarous nations, the incurſions as well of the barbarians themſelves, as of other enemies, pirates and ravagers, probably will be feared, therefore WE have given, and for US, our heirs and ſucceſſors, do give by theſe preſents, as full and unreſtrained power, as any captain-general of an army ever hath had, unto the aforeſaid now baron of Baltimore, and to his heirs and aſſigns, by themſelves, or by their captains,

prædones prædictos partes illas infestantes terrâ marique etiam ultra provinciæ suæ limites prosequendi eosque (si DEUS dederit) prosligandi et capiendi et captos jure belli occidendi vel pro arbitrio suo servandi cæteraque omnia et singula quæ ad capitanei generalis exercitûs jus et officium spectant seu spectare consueverint faciendi adeo plenam et liberam ac quivis capitaneus generalis exercitûs unquam habuit dedimus ac pro NOBIS hæredibus et successoribus nostris damus potestatem per præsentes.

XIII. VOLUMUS etiam et per hanc chartam nostram præfato modo baroni de Baltimore et hæredibus et assignatis suis potestatem libertatem et authoritatem damus ut in casu rebellionis repentini tumultûs aut seditionis si quæ (quod absit) sive super terrâ infra provinciam prædictam sive super alto mari itinere ad dictam provinciam de Terrâ Mariæ faciendo vel inde redeundo oriri contingeret per se vel capitaneos deputatos aut alios officiarios suos sub sigillis suis ad hoc deputandos quibus etiam NOS pro NOBIS hæredibus et successoribus nostris plenissimam per præsentes potestatem et authoritatem damus et concedimus adversus rerum novarum partium illarum authores seditiosos regimini illius vel illorum se subtrahentes militiam detrectantes transfugas emansores desertores vel aliter utcunque contra rem morem et disciplinam militarem delinquentes jure utantur militari adeo liberè et in tam amplis modo et formâ prout aliquis capitaneus generalis exercitûs virtute officii sui eo uti possit aut consuevit.

XIV. PORRO ne viris honestè natis et se ad præsentem expeditionem accincturis ac bene de NOBIS et regnis nostris pace et bello mereri cupientibus in tam remotâ longèque diffitâ regione omnis ad honores et dignitates via præclusa et penitus obsepta esse videatur Propterea NOS pro NOBIS hæredibus et successoribus nostris præfato modo baroni de Baltimore et hæredibus et assignatis suis liberam et plenariam potestatem damus favores gratias et honores in benemeritos cives infra provinciam prædictam inhabitantes conferendi eosque quibuscunque titulis et dignitatibus (modo tales non fuerint quæ in Angliâ nunc sunt in usu) pro arbitrio suo decorandi villas item in burgos et burgos in civitates ad inhabitantium merita et locorum opportunitates cum privilegiis et immunitatibus congruis erigendi et incorporandi cæteraque omnia et singula in præmissis faciendi quæ illi vel illis congrua et opportuna esse videbuntur etiam si talia fuerint quæ de suâ naturâ mandatum et warrantum exigant magis speciale quam in præsentibus sit expressum.

XV. VOLUMUS etiam ac per præsentes pro NOBIS hæredibus et successoribus nostris præfato modo baroni de Baltimore hæredibus et assignatis suis omnibusque prædictæ provinciæ incolis et inhabitantibus quibuscunque præsentibus et futuris per hanc Chartam nostram licentiam damus et concedimus ut merces quascunque et mercimonia ex dictæ provinciæ fructibus et commoditatibus terrestribus vel maritimis redigenda per se vel per servos factores aut assignatos suos in quoscunque portus nostros hæredum et successorum nostrorum Angliæ aut Hiberniæ liberè inferre et exonerare aut aliter de eisden ibidem disponere Et si opus fuerit easdem merces infra unum annum ab exoneratione earum continuò numerandum rursus in naves easdem vel alias onerare et in quascunque voluerint regiones sive nostras sive extraneas de amicitiâ nostrâ hæredum et successorum nostrorum deportare valeant Proviso semper quod tales et talia custumas et impositiones subsidia et telonia NOBIS hæredibus et successoribus nostris inde solvere teneantur quales et qualia reliqui subditi nostri regni nostri Angliæ pro tempore existentes solvere tenebuntur ultra quas et quæ præfatæ provinciæ dictæ terræ Terra Mariæ nuncupatæ incolas gravari nolumus.

XVI. ET ULTERIUS de ampliori gratiâ nostrâ speciali ac ex certâ scientiâ et mero motu nostris pro NOBIS hæredibus et successoribus nostris concedimus præfato modò baroni de Baltimore hæredibus et assignatis suis plenam et absolutam potestatem et authoritatem faciendi et erigendi et constituendi infra provinciam de Terra Mariæ ac insulas et insululas prædictas tot et tales portus maritimos navium stationes crecas et alia loca exonerationis et depositionis bonorum et mercimoniorum è navibus cymbis ac aliis vasibus ac onerationis in eâdem et in tot et talibus locis et cum talibus juribus jurisdictionibus libertatibus et privilegiis ad hujusmodi portus spectantibus prout ei vel eis melius videbitur expedire quodque emnes et singulæ naves cymbæ et alia vasa quæcunque causâ merchandizandi ad provinciam et ex provinciâ prædictâ venientia et exeuntia ad hujusmodi portus per dictum modò baronem de Baltimore hæredes et assignatos suos sic erigendos et constituendos solummodo onerentur et exonerentur aliquo usu consuetudine aut aliqâ aliâ re in contrarium non obstante salvâ semper NOBIS hæredibus et successoribus nostris et omnibus subditis regni nostri Angliæ et Hiberniæ hæredum et successorum nostrorum libertate piscandi piscem marinum tam in mari æstuariis et fretis et fluminibus navigio idoneis

or other officers, to ſummon to their ſtandards, and to array all men, of whatſoever condition, or wherefoever born, for the time being, in the ſaid province of Maryland, to wage war, and to purſue, even beyond the limits of their province, the enemies and ravagers aforeſaid, infeſting thoſe parts by land and by ſea, and (if God ſhall grant it) to vanquiſh and captivate them, and the captives to put to death, or, according to their diſcretion, to ſave, and to do all other and ſingular the things which appertain, or have been accuſtomed to appertain unto the authority and office of a captain-general of an army.

XIII. WE alſo will, and by this our charter, do give unto the aforeſaid now baron of Baltimore, and to his heirs and aſſigns, power, liberty and authority, that in caſe of rebellion, ſudden tumult, or ſedition, if any (which God forbid) ſhould happen to ariſe, whether upon land within the province aforeſaid, or upon the high ſea in making a voyage to the ſaid province of Maryland, or in returning thence, they may, by themſelves, or by their captains, or other officers, thereunto deputed under their ſeals (to whom WE for US, our heirs and ſucceſſors, by theſe preſents, do give and grant the fulleſt power and authority) exerciſe martial law as freely, and in as ample manner and form, as any captain-general of an army, by virtue of his office may, or hath accuſtomed to uſe the ſame, againſt the ſeditious authors of innovations in thoſe parts, withdrawing themſelves from the government of him or them, refuſing to ſerve in war, flying over to the enemy, exceeding their leave of abſence, deſerters, or otherwiſe howſoever offending againſt the rule, law, or diſcipline of war.

XIV. MOREOVER, leſt in ſo remote and far diſtant a region, every acceſs to honours and dignities may ſeem to be precluded, and utterly barred, to men well born, who are preparing to engage in the preſent expedition, and deſirous of deſerving well, both in peace and war, of US, and our kingdoms; for this cauſe, WE, for US, our heirs and ſucceſſors, do give free and plenary power to the aforeſaid now baron of Baltimore, and to his heirs and aſſigns, to confer favours, rewards and honours, upon ſuch ſubjects, inhabiting within the province aforeſaid, as ſhall be well deſerving, and to adorn them with whatſoever titles and dignities they ſhall appoint; (ſo that they be not ſuch as are now uſed in England) alſo to erect and incorporate towns into boroughs, and boroughs into cities, with ſuitable privileges and immunities, according to the merits of the inhabitants, and convenience of the places; and to do all and ſingular other things in the premiſſes, which to him or them ſhall ſeem fitting and convenient; even although they ſhall be ſuch as, in their own nature, require a more ſpecial commandment and warrant than in theſe preſents may be expreſſed.

XV. WE will alſo, and by theſe preſents do, for US, our heirs and ſucceſſors, give and grant licence by this our charter, unto the aforeſaid now baron of Baltimore, his heirs and aſſigns, and to all perſons whatſoever, who are, or ſhall be reſidents and inhabitants of the province aforeſaid, freely to import and unlade, by themſelves, their ſervants, factors or aſſigns, all wares and merchandiſes whatſoever, which ſhall be collected out of the fruits and commodities of the ſaid province, whether the product of the land or the ſea, into any the ports whatſoever of US, our heirs and ſucceſſors, of England or Ireland, or otherwiſe to diſpoſe of the ſame there; and, if need be, within one year, to be computed immediately from the time of unlading thereof, to lade the ſame merchandiſes again, in the ſame, or other ſhips, and to export the ſame to any other countries they ſhall think proper, whether belonging to US, or any foreign power which ſhall be in amity with US, our heirs or ſucceſſors: Provided always, that they be bound to pay for the ſame to US, our heirs and ſucceſſors, ſuch cuſtoms and impoſitions, ſubſidies and taxes, as our other ſubjects of our kingdom of England, for the time being, ſhall be bound to pay, beyond which WE will that the inhabitants of the aforeſaid province of the ſaid land, called Maryland, ſhall not be burthened.

XVI. AND FURTHERMORE, of our more ample ſpecial grace, and of our certain knowledge, and mere motion, WE do, for US, our heirs and ſucceſſors, grant unto the aforeſaid now baron of Baltimore, his heirs and aſſigns, full and abſolute power and authority to make, erect and conſtitute, within the province of Maryland, and the iſlands and iſlets aforeſaid, ſuch, and ſo many ſea-ports, harbours, creeks, and other places of unlading and diſcharge of goods and merchandiſes out of ſhips, boats, and other veſſels, and of lading in the ſame, and in ſo many, and ſuch places, and with ſuch rights, juriſdictions, liberties and privileges, unto ſuch ports reſpecting, as to him or them ſhall ſeem moſt expedient: And, that all and every the ſhips, boats, and other veſſels whatſoever, coming to, or going from the province aforeſaid, for the ſake of merchandiſing, ſhall be laden and unladen at ſuch ports only as ſhall be ſo erected and conſtituted by the ſaid now baron of Baltimore, his heirs and aſſigns, any uſage, cuſtom, or any other thing whatſoever to the contrary notwithſtanding. Saving always to US, our heirs and ſucceſſors, and to all the ſubjects of our kingdoms of England and Ireland, of US, our heirs and ſucceſſors, the liberty of fiſhing for ſea-fiſh, as well in the ſea,

bays,

idoneis quam in portubus æſtuariis et crecis provinciæ ante dictæ ac privilegio ſaliendi et exſiccandi vel arefaciendi piſces in littoribus ejuſdem provinciæ et eâ de cauſâ buſcam et vimina ibidem creſcentia ſuccidere et capere; et caſas et tuguriola in hâc parte neceſſaria extruere prout rationabiliter hactenus uſi fuerunt aut potuerunt quibus quidem libertatibus et privilegiis dicti ſubditi noſtri hæredum et ſucceſſorum noſtrorum gaudebunt abſque notabili damno vel injuriâ præfato modò baroni de Baltimore hæredibus vel aſſignatis ſuis aut ejuſdem provinciæ incolis et inhabitantibus in portubus crecis aut littoribus prædictis et præſertim in boſcis et ſylvis ibidem creſcentibus aliqualiter fienda et ſi quis hujuſmodi damnum fecerit aut injuriam gravis indignationis noſtræ hæredum et ſucceſſorum noſtrorum debitæque legum caſtigationis periculum pænamque præter emendationem ſubeat.

XVII. VOLUMUS inſuper ſtatuimus et ordinamus ac per præſentes pro NOBIS hæredibus et ſucceſſoribus noſtris concedimus præfato modò baroni de Baltimore hæredibus et aſſignatis ſuis quod idem baro de Baltimore hæredes et aſſignati ſui de tempore in tempus imperpetuum habeant et gaudeant telonia et ſubſidia in portubus navium ſtationibus et aliis crecis et locis prædictis infra provinciam prædictam ſolubilia ſive emergentia pro mercimoniis et rebus ibidem onerandis et exonerandis per ipſos et populos ibidem ut prædictum eſt occaſione emergente rationabiliter aſſidenda quibus eadem juſtâ de cauſâ debitâ proportione aſſidere et inducere telonia et ſubſidia ibidem poteſtatem pro NOBIS hæredibus et ſucceſſoribus noſtris damus per præſentes.

XVIII. ET ULTERIUS de gratiâ noſtrâ ſpeciali ac ex certâ ſcientiâ et mero motu noſtris dedimus conceſſimus et confirmavimus ac per præſentes pro NOBIS hæredibus et ſucceſſoribus noſtris damus concedimus et confirmamus præfato modò baroni de Baltimore hæredibus et aſſignatis ſuis plenam et abſolutam licentiam poteſtatem et authoritatem quód ipſe præfatus modò baro hæredes et aſſignati ſui de tempore in tempus impoſterum imperpetuum ad ejus vel eorum libitum et voluntatem poſſint et valeant aſſignare alienare concedere demittere vel feoffare præmiſſorum tot tales et tantas partes et parcellas eas perquirere volenti vel volentibus quot quales et quantas duxerint opportunas habendum et tenendum eiſdem perſonæ et perſonis eas capere vel perquirere volenti et volentibus hæredibus et aſſignatis ſuis in feodo ſimplici vel feodo talliato vel pro termino vitæ vitarum vel annorum tenendum de præfato modò baroni de Baltimore hæredibus et aſſignatis ſuis per tot talia et tanta hujuſmodi ſervitia conſuetudines et redditus quot quanta et qualia eidem modò baroni de Baltimore hæredibus et aſſignatis ſuis viſum fuerit vel placuerit et non de NOBIS hæredibus vel ſucceſſoribus noſtris immediatè et eiſdem perſonæ et perſonis et earum cuilibet et quibuſlibet damus et per præſentes pro NOBIS hæredibus et ſucceſſoribus noſtris concedimus licentiam authoritatem et poteſtatem quód tales perſona et perſonæ præmiſſa ſive aliquam inde parcellam de præfato modò barone de Baltimore hæredibus et aſſignatis ſuis recipere poſſit et poſſint ac tenere ſibi et aſſignatis ſuis vel hæredibus ſuis de quocunque ſtatu hæreditario in feodo ſimplici vel feodo talliato vel aliter prout eis et modò baroni de Baltimore hæredibus et aſſignatis ſuis videbitur expedire de eodem barone de Baltimore hæredibus et aſſignatis ſuis ſtatuto in parliamento domini Edwardi filii regis Henrici nuper regis Angliæ progenitoris noſtri edito communiter vocato "STATUTUM QUIA EMPTORES TERRARUM" in regno noſtro Angliæ dudum edito aut aliquo alio ſtatuto actu ordinatione uſu lege vel conſuetudine aut aliquâ aliâ re cauſâ vel materiâ in contrarium inde antehac habitâ factâ editâ ordinatâ ſeu proviſâ in contrarium inde non obſtante.

XIX. Ac eidem baroni de Baltimore et hæredibus ſuis particulas aliquas terræ infra provinciam prædictam in maneria erigere et in maneriorum eorum ſingulis habere et tenere curiam baronis et omnia quæ ad curiam baronis pertinent et viſum franciplegii ad conſervationem pacis et melius partium illarum regimen per ſe et ſeneſchallos ſuos vel aliorum maneriorum illorum cum conſtituta fuerint dominos pro tempore exiſtentes deputandos habere et cuſtodire et in eiſdem omnibus uti ad viſum franciplegii pertinentibus licentiam damus et concedimus per præſentes.

XX. Ac ulterius volumus ac per præſentes pro NOBIS hæredibus et ſucceſſoribus noſtris convenimus et concedimus ad et cum præfato modò barone de Baltimore hæredibus et aſſignatis ſuis quód NOS hæredes et ſucceſſores noſtri nullo tempore impoſterum aliquas impoſitiones cuſtumas aut alias taxationes quotas ſeu contributiones quaſcunque imponemus aut imponi faciemus aut cauſabimus in aut ſuper incolas aut inhabitantes provinciæ prædictæ pro bonis terris vel tenementis ſuis infra eandem provinciam aut ſuper aliqua tenementa terras bona ſeu catalla infra provinciam prædictam aut in aut ſuper aliqua bona vel merchandizas infra provinciam prædictam aut infra portus aut navium ſtationes dictæ provinciæ onerandas ſeu exonerandas et hanc declarationem noſtram in omnibus curiis et prætoriis et coram quibuſcunque judicibus noſtris hæredum et ſucceſſorum noſtrorum pro ſufficienti et legitimâ

bays, ſtraits, and navigable rivers, as in the harbours, bays, and creeks of the province aforeſaid; and the privilege of ſalting and drying fiſh on the ſhores of the ſame province; and, for that cauſe, to cut down and take hedging-wood and twigs there growing, and to build huts and cabins, neceſſary in this behalf, in the ſame manner as heretofore they reaſonably might, or have uſed to do. Which liberties and privileges, the ſaid ſubjects of US, our heirs and ſucceſſors, ſhall enjoy, without notable damage or injury in any wiſe to be done to the aforeſaid now baron of Baltimore, his heirs or aſſigns, or to the reſidents and inhabitants of the ſame province in the ports, creeks, and ſhores aforeſaid, and eſpecially in the woods and trees there growing. And if any perſon ſhall do damage or injury of this kind, he ſhall incur the peril and pain of the heavy diſpleaſure of US, our heirs and ſucceſſors, and of the due chaſtiſement of the laws, beſides making ſatisfaction.

XVII. MOREOVER, WE will, appoint, and ordain, and by theſe preſents, for US, our heirs and ſucceſſors, do grant unto the aforeſaid now baron of Baltimore, his heirs and aſſigns, that the ſame baron of Baltimore, his heirs and aſſigns, from time to time, for ever, ſhall have, and enjoy the taxes and ſubſidies payable, or ariſing within the ports, harbours, and other creeks and places aforeſaid, within the province aforeſaid, for wares bought and ſold, and things there to be laden or unladen, to be reaſonably aſſeſſed by them, and the people there as aforeſaid, on emergent occaſion; to whom WE grant power by theſe preſents, for US, our heirs and ſucceſſors, to aſſeſs and impoſe the ſaid taxes and ſubſidies there, upon juſt cauſe, and in due proportion.

XVIII. AND FURTHERMORE, of our ſpecial grace, and certain knowledge, and mere motion, WE have given, granted and confirmed, and by theſe preſents, for US, our heirs and ſucceſſors, do give, grant and confirm, unto the aforeſaid now baron of Baltimore, his heirs and aſſigns, full and abſolute licence, power and authority, that he, the aforeſaid now baron of Baltimore, his heirs and aſſigns, from time to time hereafter, for ever, may and can, at his or their will and pleaſure, aſſign, alien, grant, demiſe, or enfeoff ſo many, ſuch, and proportionate parts and parcels of the premiſſes, to any perſon or perſons willing to purchaſe the ſame, as they ſhall think convenient, to have and to hold to the ſame perſon or perſons willing to take or purchaſe the ſame, and his and their heirs and aſſigns, in fee-ſimple, or fee-tail, or for term of life, lives or years; to hold of the aforeſaid now baron of Baltimore, his heirs and aſſigns, by ſo many, ſuch, and ſo great ſervices, cuſtoms and rents, of this kind, as to the ſame now baron of Baltimore, his heirs and aſſigns, ſhall ſeem fit and agreeable, and not immediately of US, our heirs or ſucceſſors. And WE do give, and by theſe preſents, for US, our heirs and ſucceſſors, do grant to the ſame perſon and perſons, and to each and every of them, licence, authority and power, that ſuch perſon and perſons, may take the premiſſes, or any parcel thereof, of the aforeſaid now baron of Baltimore, his heirs and aſſigns, and hold the ſame to them and their aſſigns, or their heirs, of the aforeſaid baron of Baltimore, his heirs and aſſigns, of what eſtate of inheritance ſoever, in fee-ſimple or fee-tail, or otherwiſe, as to them and the now baron of Baltimore, his heirs and aſſigns, ſhall ſeem expedient; the ſtatute made in the parliament of lord Edward, ſon of king Henry, late king of England, our progenitor, commonly called the "STATUTE QUIA EMPTORES TERRARUM," heretofore publiſhed in our kingdom of England, or any other ſtatute, act, ordinance, uſage, law, or cuſtom, or any other thing, cauſe or matter, to the contrary thereof, heretofore had, done, publiſhed, ordained or provided to the contrary thereof notwithſtanding.

XIX. WE alſo, by theſe preſents, do give and grant licence to the ſame baron of Baltimore, and to his heirs, to erect any parcels of land within the province aforeſaid, into manors, and in every of thoſe manors, to have and to hold a court-baron, and all things which to a court-baron do belong; and to have and to keep view of frank-pledge, for the conſervation of the peace and better government of thoſe parts, by themſelves and their ſtewards, or by the lords, for the time being to be deputed, of other of thoſe manors when they ſhall be conſtituted, and in the ſame to exerciſe all things to the view of frank-pledge belonging.

XX. AND further WE will, and do, by theſe preſents, for US, our heirs and ſucceſſors, covenant and grant to, and with the aforeſaid now baron of Baltimore, his heirs and aſſigns, that WE, our heirs and ſucceſſors, at no time hereafter, will impoſe, or make or cauſe to be impoſed, any impoſitions, cuſtoms, or other taxations, quotas or contributions whatſoever, in or upon the reſidents or inhabitants of the province aforeſaid for their goods, lands, or tenements within the ſame province, or upon any tenements, lands, goods or chattels within the province aforeſaid, or in or upon any goods or merchandiſes within the province aforeſaid, or within the ports or harbours of the ſaid province, to be laden or unladen: And WE will and do, for US, our heirs and ſucceſſors, enjoin and command that this our declaration ſhall, from time to time, be received and allowed in all our courts and

legitimâ liberatione ſolutione et acquietantia inde de tempore in tempus recipi et allocari volumus ac pro NOBIS hæredibus et ſucceſſoribus noſtris jubemus et mandamus præcipientes omnibus et ſingulis officiariis et miniſtris noſtris hæredum et ſucceſſorum noſtrorum et ſub gravi indignatione injungentes ne quid in contrarium præmiſſorum ullo unquam tempore attemptare audeant aut eiſdem ullo modo contraveniant ſed præfato modò baroni de Baltimore et hæredibus ac præfatæ provinciæ de Terra Mariæ incolis et mercatoribus prædictis eorumque ſervis et miniſtris factoribus et aſſignatis in pleniſſimo hujus chartæ noſtræ uſu et fruitione omni tempore prout decet auxilientur et aſſiſtant.

XXI. ET ULTERIUS volumus ac per præſentes pro NOBIS hæredibus et ſucceſſoribus noſtris concedimus præfato modò baroni de Baltimore hæredibus et aſſignatis ſuis et dictæ provinciæ terræ-tenentibus habitatoribus præſentibus et futuris et ſingulis eorum quod provincia prædicta terræ-tenentes vel incolæ ejuſdem coloniæ aut patriæ vel terræ Virginiæ aut alicujus alterius coloniæ deductæ vel deducendæ membrum vel pars de cætero non habeantur vel reputentur aut de eiſdem dependentes ſint aut regimine ſubſint in aliquo ipſamque et ipſos ab eiſdem ſeparamus et ſeparatos eſſe volumus per præſentes ac quód coronæ noſtræ Angliæ immediatè ſint ſubjecti et de eâdem dependentes imperpetuum.

XXII. ET ſi fortè impoſterum contingat dubitationes aliquas quæſtiones circa verum ſenſum et intellectum alicujus verbi clauſulæ vel ſententiæ in hâc præſenti charta noſtrâ contentæ generari eam ſemper et in omnibus interpretationem adhiberi et in quibuſcunque curiis et prætoriis noſtris obtinere volumus præcipimus et mandamus quæ præfato modò baroni de Baltimore hæredibus et aſſignatis ſuis benignior utilior et favorabilior eſſe judicabitur proviſo ſemper quod nulla fiat interpretatio per quam ſacro-ſancta DEI et vera chriſtiana religio aut ligeantia NOBIS hæredibus et ſucceſſoribus noſtris debita immutatione prejudicio vel diſpendio in aliquo patiantur eo quod expreſſa mentio, &c.

XXIII. IN cujus rei, &c. T. R. apud Weſtmonaſterium XX die Junii per breve de privato ſigillo.

nd prætorian judicatories, and before all the judges whatſoever of US, our heirs and ſucceſſors, for ſufficient and lawful diſcharge, payment, and acquittance thereof, charging all and ſingular the fficers and miniſters of US, our heirs and ſucceſſors, and enjoining them, under our heavy diſpleaure, that they do not at any time preſume to attempt any thing to the contrary of the premiſſes, or hat may in any wiſe contravene the ſame, but that they, at all times, as is fitting, do aid and aſſiſt he aforeſaid now baron of Baltimore, and his heirs, and the aforeſaid inhabitants and merchants of he province of Maryland aforeſaid, and their ſervants and miniſters, factors and aſſigns, in the fulleſt ſe and enjoyment of this our charter.

XXI. AND furthermore we will, and by theſe preſents, for US, our heirs and ſucceſſors, do grant nto the aforeſaid now baron of Baltimore, his heirs and aſſigns, and to the freeholders and inhabiants of the ſaid province, both preſent and to come, and to every of them, that the ſaid province, nd the freeholders or inhabitants of the ſaid colony or country, ſhall not henceforth be held or reuted a member or part of the land of Virginia, or of any other colony already tranſported, or hereſter to be tranſported, or be dependent on the ſame, or ſubordinate in any kind of government, om which we do ſeparate both the ſaid province, and inhabitants thereof, and by theſe preſents do ill to be diſtinct, and that they may be immediately ſubject to our crown of England, and dependent on the ſame for ever.

XXII. AND if, peradventure, hereafter it may happen, that any doubts or queſtions ſhould ariſe oncerning the true ſenſe and meaning of any word, clauſe or ſentence, contained in this our preſent harter, we will, charge and command, that interpretation to be applied, always, and in all things, and all our courts and judicatories whatſoever, to obtain which ſhall be judged to be the more beneficial, profitable, and favourable to the aforeſaid now baron of Baltimore, his heirs and aſſigns: Proided always, that no interpretation thereof be made, whereby GOD'S holy and true chriſtian eligion, or the allegiance due to US, our heirs and ſucceſſors, may in any wiſe ſuffer by change, rejudice, or diminution; although expreſs mention be not made in theſe preſents of the true yearly value or certainty of the premiſſes, or of any part thereof, or of other gifts and grants made by s, our heirs and predeceſſors, unto the ſaid now lord Baltimore, or any ſtatute, act, ordinance, roviſion, proclamation or reſtraint, heretofore had, made, publiſhed, ordained or provided, or any ther thing, cauſe, or matter whatſoever, to the contrary thereof in any wiſe notwithſtanding.

XXIII. IN witneſs whereof we have cauſed theſe our letters to be made patent. Witneſs OURELF at Weſtminſter, the twentieth day of June, in the eighth year of our reign.

THE DECLARATION OF RIGHTS, AND THE CONSTITUTION AND FORM OF GOVERNMENT OF THE STATE OF MARYLAND.

THE DECLARATION OF RIGHTS.

THE parliament of Great-Britain, by a declaratory act, having assumed a right to make laws to bind the colonies in all cases whatsoever, and in pursuance of such claim endeavoured by force of arms to subjugate the United Colonies to an unconditional submission to their will and power, and having at length constrained them to declare themselves independent states, and to assume government under the authority of the people, Therefore WE, the delegates of Maryland, in free and full convention assembled, taking into our most serious consideration the best means of establishing a good constitution in this state, for the surer foundation, and more permanent security thereof, DECLARE,

1. That all government of right originates from the people, is founded in compact only, and instituted solely for the good of the whole.

2. That the people of this state ought to have the sole and exclusive right of regulating the internal government and police thereof.

3. That the inhabitants of Maryland are entitled to the common law of England, and the trial by jury according to the course of that law, and to the benefit of such of the English statutes as existed at the time of their first emigration, and which by experience have been found applicable to their local and other circumstances, and of such others as have been since made in England or Great-Britain, and have been introduced, used and practised by the courts of law or equity; and also to all acts of assembly in force on the first of June, seventeen hundred and seventy-four, except such as may have since expired, or have been, or may be altered by acts of convention, or this declaration of rights; subject nevertheless to the revision of, and amendment or repeal by, the legislature of this state; and the inhabitants of Maryland are also entitled to all property derived to them from or under the charter granted by his majesty Charles the first, to Cæcilius Calvert, baron of Baltimore.

4. That all persons invested with the legislative or executive powers of government, are the trustees of the public, and as such accountable for their conduct, wherefore, whenever the ends of government are perverted, and public liberty manifestly endangered, and all other means of redress are ineffectual, the people may, and of right ought, to reform the old, or establish a new government; the doctrine of nonresistance against arbitrary power and oppression, is absurd, slavish and destructive of the good and happiness of mankind.

5. That the right in the people to participate in the legislature is the best security of liberty, and the foundation of all free government; for this purpose elections ought to be free and frequent, and every man having property in, a common interest with, and an attachment to, the community, ought to have a right of suffrage.

6. That the legislative, executive and judicial powers of government, ought to be for ever separate and distinct from each other.

7. That no power of suspending laws, or the execution of laws, unless by or derived from the legislature, ought to be exercised or allowed.

8. That freedom of speech, and debates or proceedings, in the legislature, ought not to be impeached in any other court or judicature.

9. That a place for the meeting of the legislature ought to be fixed, the most convenient to the members thereof, and to the depository of the public records, and the legislature ought not to be convened or held at any other place but from evident necessity.

10. That for the redress of grievances, and for amending, strengthening and preserving the laws, the legislature ought to be frequently convened.

11. That every man hath a right to petition the legislature for the redress of grievances, in a peaceable and orderly manner.

12. That no aid, charge, tax, burthen, fee or fees, ought to be set, rated or levied, under any pretence, without the consent of the legislature.

13. That the levying taxes by the poll is grievous and oppressive, and ought to be abolished; that paupers ought not to be assessed for the support of government, but every other person in the state ought to contribute his proportion of public taxes for the support of government according to his actual worth in real or personal property within this state; yet fines, duties or taxes, may properly

and

nd juſtly be impoſed or laid with a political view for the good government and benefit of the community.

14. That ſanguinary laws ought to be avoided, as far as is conſiſtent with the ſafety of the ſtate; nd no law to inflict cruel and unuſual pains and penalties ought to be made, in any caſe, or at any ime hereafter.

15. That retroſpective laws, puniſhing facts committed before the exiſtence of ſuch laws, and by hem only declared criminal, are oppreſſive, unjuſt, and incompatible with liberty; wherefore no *ex oſt facto* law ought to be made.

16. That no law to attaint particular perſons of treaſon or felony, ought to be made in any caſe, r at any time hereafter.

17. That every free man, for any injury done to him in his perſon or property, ought to have remedy by the courſe of the law of the land, and ought to have juſtice and right, freely without ſale, ully without any denial, and ſpeedily without delay, according to the law of the land.

18. That the trial of facts where they ariſe, is one of the greateſt ſecurities of the lives, liberies and eſtate of the people.

19. That in all criminal proſecutions, every man hath a right to be informed of the accuſation gainſt him, to have a copy of the indictment or charge in due time (if required,) to prepare for his efence, to be allowed council, to be confronted with the witneſſes againſt him, to have proceſs for is witneſſes, to examine the witneſſes for and againſt him on oath, and to a ſpeedy trial by an impartial jury, without whoſe unanimous conſent he ought not to be found guilty.

20. That no man ought to be compelled to give evidence againſt himſelf in a court of common aw, or in any other court, but in ſuch caſes as have been uſually practiſed in this ſtate, or may ereafter be directed by the legiſlature.

21. That no free man ought to be taken or impriſoned, or diſſeized of his free-hold, liberties or rivileges, or outlawed, or exiled, or in any manner deſtroyed, or deprived of his life, liberty or roperty, but by the judgment of his peers, or by the law of the land.

22. That exceſſive bail ought not to be required, nor exceſſive fines impoſed, nor cruel or unuſual uniſhments inflicted by the courts of law.

23. That all warrants without oath, or affirmation, to ſearch ſuſpected places, or to ſeize any erſon or property, are grievous and oppreſſive; and all general warrants to ſearch ſuſpected places, r to apprehend ſuſpected perſons, without naming or deſcribing the place, or the perſon in ſpecial, re illegal, and ought not to be granted.

24. That there ought to be no forfeiture of any part of the eſtate of any perſon for any crime except murder, or treaſon againſt the ſtate, and then only on conviction and attainder.

25. That a well regulated militia is the proper and natural defence of a free government.

26. That ſtanding armies are dangerous to liberty, and ought not to be raiſed or kept up without conſent of the legiſlature.

27. That in all caſes and at all times the military ought to be under ſtrict ſubordination to, and control of, the civil power.

28. That no ſoldier ought to be quartered in any houſe in time of peace without the conſent of the owner, and in time of war in ſuch manner only as the legiſlature ſhall direct.

29. That no perſon except regular ſoldiers, mariners and marines, in the ſervice of this ſtate, or militia when in actual ſervice, ought in any caſe to be ſubject to, or puniſhable by, martial law.

30. That the independency and uprightneſs of judges are eſſential to the impartial adminiſtration of juſtice, and a great ſecurity to the rights and liberties of the people; wherefore the chancellor, nd all judges, ought to hold commiſſions during good behaviour, and the ſaid chancellor and judges ſhall be removed for miſbehaviour, on conviction in a court of law, and may be removed by the governor, upon the addreſs of the general aſſembly, provided that two thirds of all the members of each houſe concur in ſuch addreſs. That ſalaries liberal, but not profuſe, ought to be ſecured to the chancellor and the judges, during the continuance of their commiſſions, in ſuch manner and at ſuch time as the legiſlature ſhall hereafter direct, upon conſideration of the circumſtances of this ſtate. No chancellor or judge ought to hold any other office, civil or military, or receive fees or perquiſites of any kind.

31. That a long continuance in the firſt executive departments of power or truſt, is dangerous to liberty, a rotation therefore in thoſe departments is one of the beſt ſecurities of permanent freedom.

32. That no perſon ought to hold at the ſame time more than one office of profit, nor ought any perſon in public truſt to receive any preſent from any foreign prince or ſtate, or from the United States, or any of them, without the approbation of this ſtate.

33. That as it is the duty of every man to worſhip GOD in ſuch manner as he thinks moſt acceptable to him, all perſons profeſſing the chriſtian religion are equally entitled to protection in their religious liberty, wherefore no perſon ought by any law to be moleſted in his perſon or eſtate on ac-

count of his religious perſuaſion or profeſſion, or for his religious practice, unleſs under colour of religion any man ſhall diſturb the good order, peace or ſafety of the ſtate, or ſhall infringe the laws of morality, or injure others in their natural, civil or religious rights; nor ought any perſon to be compelled to frequent or maintain, or contribute, unleſs on contract, to maintain, any particular place of worſhip, or any particular miniſtry; yet the legiſlature may, in their diſcretion, lay a general and equal tax for the ſupport of the chriſtian religion, leaving to each individual the power of appointing the payment over of the money collected from him, to the ſupport of any particular place of worſhip or miniſter, or for the benefit of the poor of his own denomination, or the poor in general of any particular county; but the churches, chapels, glebes, and all other property now belonging to the church of England, ought to remain to the church of England for ever. And all acts of aſſembly lately paſſed for collecting monies for building or repairing particular churches or chapels of eaſe, ſhall continue in force and be executed, unleſs the legiſlature ſhall by act ſuperſede or repeal the ſame; but no county court ſhall aſſeſs any quantity of tobacco or ſum of money hereafter, on the application of any veſtrymen or churchwardens; and every incumbent of the church of England, who hath remained in his pariſh and performed his duty, ſhall be entitled to receive the proviſion and ſupport eſtabliſhed by the act, entitled, An act for the ſupport of the clergy of the church of England in this province, till the November court of this preſent year to be held for the county in which his pariſh ſhall lie, or partly lie, or for ſuch time as he hath remained in his pariſh and performed his duty.

34. That every gift, ſale, or deviſe of lands, to any miniſter, public teacher, or preacher of the goſpel, as ſuch, or to any religious ſect, order or denomination, or to or for the ſupport, uſe or benefit of, or in truſt for, any miniſter, public teacher, or preacher of the goſpel, as ſuch, or any religious ſect, order or denomination; and every gift or ſale of goods or chattels, to go in ſucceſſion, or to take place after the death of the ſeller or donor, to or for ſuch ſupport, uſe or benefit; and alſo every deviſe of goods or chattels to, or to or for the ſupport, uſe or benefit of, any miniſter, public teacher, or preacher of the goſpel, as ſuch, or any religious ſect, order or denomination, without the leave of the legiſlature, ſhall be void; except always any ſale, gift, leaſe or deviſe, of any quantity of land not exceeding two acres, for a church, meeting, or other houſe of worſhip, and for a burying-ground, which ſhall be improved, enjoyed or uſed, only for ſuch purpoſe, or ſuch ſale, gift, leaſe or deviſe, ſhall be void.

35. That no other teſt or qualification ought to be required on admiſſion to any office of truſt or profit, than ſuch oath of ſupport and fidelity to this ſtate, and ſuch oath of office, as ſhall be directed by this convention, or the legiſlature of this ſtate, and a declaration of a belief in the chriſtian religion.

36. That the manner of adminiſtering an oath to any perſon ought to be ſuch as thoſe of the religious perſuaſion, profeſſion or denomination of which ſuch perſon is one, generally eſteem the moſt effectual confirmation, by the atteſtation of the Divine Being. And that the people called Quakers, thoſe called Tunkers, and thoſe called Menoniſts, holding it unlawful to take an oath on any occaſion, ought to be allowed to make their ſolemn affirmation in the manner that quakers have been heretofore allowed to affirm, and to be of the ſame avail as an oath, in all ſuch caſes as the affirmation of quakers hath been allowed and accepted within this ſtate inſtead of an oath. And further, on ſuch affirmation warrants to ſearch for ſtolen goods, or the apprehenſion or commitment of offenders, ought to be granted, or ſecurity for the peace awarded; and quakers, tunkers or menoniſts, ought alſo, on their ſolemn affirmation as aforeſaid, to be admitted as witneſſes in all criminal caſes not capital. (a)

37. That the city of Annapolis ought to have all its rights, privileges and benefits, agreeable to its charter, and the acts of aſſembly confirming and regulating the ſame; ſubject nevertheleſs to ſuch alterations as may be made by this convention, or any future legiſlature.

38. That the liberty of the preſs ought to be inviolably preſerved.

39. That monopolies are odious, contrary to the ſpirit of a free government, and the principles of commerce, and ought not to be ſuffered.

40. That no title of nobility or hereditary honours ought to be granted in this ſtate.

41. That the ſubſiſting reſolves of this and the ſeveral conventions held for this colony, ought to be in force as laws, unleſs altered by this convention, or the legiſlature of this ſtate.

42. That this declaration of rights, or the form of government to be eſtabliſhed by this convention, or any part of either of them, ought not to be altered, changed or aboliſhed, by the legiſlature of this ſtate, but in ſuch manner as this convention ſhall preſcribe and direct.

THE

(a) See 1797, ch. 118, (confirmed by 1798, ch. 83,) by which it is declared, that the people called Quakers, thoſe called Nicolites, or New Quakers, thoſe called Tunkers, and thoſe called Menoniſts, holding it unlawful to take an oath on any occaſion, ſhall be allowed to take their ſolemn affirmation as witneſſes in the manner that quakers have been heretofore allowed to affirm, which affirmation ſhall be of the ſame avail as an oath to all intents and purpoſes whatever.

THE CONSTITUTION AND FORM OF GOVERNMENT,

Agreed to by the DELEGATES of MARYLAND in free and full CONVENTION aſſembled.

1. THAT the legiſlature conſiſt of two diſtinct branches, a ſenate, and a houſe of delegates, which ſhall be ſtyled The General Aſſembly of Maryland.

2. That the houſe of delegates ſhall be choſen in the following manner: All free men, above twenty-one years of age, having a free-hold of fifty acres of land in the county in which they offer to vote, and reſiding therein, and all free men, having property in this ſtate above the value of thirty pounds current money, and having reſided in the county in which they offer to vote one whole year next preceding the election, ſhall have a right of ſuffrage in the election of delegates for ſuch county; and all free men ſo qualified ſhall, on the firſt Monday of October, ſeventeen hundred and ſeventy-ſeven, and on the ſame day in every year thereafter, aſſemble in the counties in which they are reſpectively qualified to vote, at the court-houſe in the ſaid counties, or at ſuch other place as the legiſlature ſhall direct; and when aſſembled, they ſhall proceed to elect, *viva voce*, four delegates for their reſpective counties, of the moſt wiſe, ſenſible and diſcreet of the people, reſidents in the county where they are to be choſen one whole year next preceding the election, above twenty-one years of age, and having in the ſtate real or perſonal property above the value of five hundred pounds current money; (a) and upon the final caſting of the polls, the four perſons who ſhall appear to have the greateſt number of legal votes, ſhall be declared and returned duly elected for their reſpective county.

3. That the ſheriff of each county, or in caſe of ſickneſs, his deputy, (ſummoning two juſtices of the county, who are required to attend for the preſervation of the peace,) ſhall be judge of the election, and may adjourn from day to day, if neceſſary, till the ſame be finiſhed, ſo that the whole election ſhall be concluded in four days; and ſhall make his return thereof, under his hand, to the chancellor of this ſtate for the time being.

4. That all perſons, qualified by the charter of the city of Annapolis to vote for burgeſſes, ſhall, on the ſame firſt Monday of October, ſeventeen hundred and ſeventy-ſeven, and on the ſame day in every year for ever thereafter, elect, *viva voce*, by a majority of votes, two delegates, qualified agreeable to the ſaid charter; that the mayor, recorder and aldermen, of the ſaid city, or any three of them, be judges of the election, appoint the place in the ſaid city for holding the ſame, and may adjourn from day to day as aforeſaid, and ſhall make return thereof as aforeſaid; but the inhabitants of the ſaid city ſhall not be entitled to vote for delegates for Anne-Arundel county, unleſs they have a free-hold of fifty acres of land in the county, diſtinct from the city.

5. That all perſons, inhabitants of Baltimore-town, and having the ſame qualifications as electors in the county, ſhall, on the ſame firſt Monday of October, ſeventeen hundred and ſeventy-ſeven, and on the ſame day in every year for ever thereafter, at ſuch place in the ſaid town as the judges ſhall appoint, elect, *viva voce*, by a majority of votes, two delegates, qualified as aforeſaid; but if the ſaid inhabitants of the town ſhall ſo decreaſe, as that the number of perſons having right of ſuffrage therein ſhall have been, for the ſpace of ſeven years ſucceſſively, leſs than one half of the number of voters in ſome one county in this ſtate, ſuch town thenceforward ſhall ceaſe to ſend two delegates or repreſentatives to the houſe of delegates, until the ſaid town ſhall have one half of the number of voters in ſome one county in this ſtate.

6. That the commiſſioners of the ſaid town, (b) or any three or more of them, for the time being, ſhall be judges of the ſaid election, and may adjourn as aforeſaid, and ſhall make return thereof as aforeſaid; but the inhabitants of the ſaid town ſhall not be entitled to vote for or be elected delegates for Baltimore county, neither ſhall the inhabitants of Baltimore county, out of the limits of Baltimore-town, be entitled to vote for or be elected delegates for the ſaid town.

7. That on refuſal, death, diſqualification, reſignation, or removal out of this ſtate, of any delegate, or on his becoming governor, or member of the council, a warrant of election ſhall iſſue by the ſpeaker for the election of another in his place, of which ten days notice at the leaſt, excluding the day of notice and the day of election, ſhall be given.

8. That not leſs than a majority of the delegates, with their ſpeaker, (to be choſen by them by ballot,) conſtitute a houſe for the tranſacting any buſineſs, other than that of adjourning.

9. That

(a) See 1791, ch. 80, (confirmed by November, 1792, ch. 22,) which declares, that no member of congreſs, or perſon holding an office of truſt or profit under the United States, ſhall be capable of having a ſeat in the general aſſembly, or being an elector of the ſenate, or holding any office of profit or truſt under this ſtate.

(b) See 1797, ch. 57, (confirmed by 1798, ch. 2,) which declares, that the mayor and ſecond branch of the city council of the city of Baltimore, or any three or more of them for the time being, ſhall be judges of the elections for delegates of the city of Baltimore, and for electors of the ſenate.

9. That the houſe of delegates ſhall judge of the elections and qualifications of delegates.

10. That the houſe of delegates may originate all money bills, propoſe bills to the ſenate, or receive thoſe offered by that body, and aſſent, diſſent, or propoſe amendments; that they may inquire, on the oath of witneſſes, into all complaints, grievances and offences, as the grand inqueſt of this ſtate, and may commit any perſon for any crime to the public gaol, there to remain till he be diſcharged by due courſe of law; they may expel any member for a great miſdemeanor, but not a ſecond time for the ſame cauſe; they may examine and paſs all accounts of the ſtate, relating either to the collection or expenditure of the revenue, or appoint auditors to ſtate and adjuſt the ſame; they may call for all public or official papers and records, and ſend for perſons whom they may judge neceſſary in the courſe of their inquiries concerning affairs relating to the public intereſt, and may direct all office bonds (which ſhall be made payable to the ſtate,) to be ſued for any breach of duty.

11. That the ſenate may be at full and perfect liberty to exerciſe their judgment in paſſing laws, and that they may not be compelled by the houſe of delegates, either to reject a money bill which the emergency of affairs may require, or to aſſent to ſome other act of legiſlation, in their conſcience and judgment injurious to the public welfare, the houſe of delegates ſhall not, on any occaſion, or under any pretence, annex to or blend with a money bill, any matter, clauſe or thing, not immediately relating to, and neceſſary for, the impoſing, aſſeſſing, levying or applying, the taxes or ſupplies to be raiſed for the ſupport of government, or the current expences of the ſtate; and to prevent altercation about ſuch bills, it is declared, that no bill impoſing duties or cuſtoms for the mere regulation of commerce, or inflicting fines for the reformation of morals, or to enforce the execution of the laws, by which an incidental revenue may ariſe, ſhall be accounted a money bill; but every bill aſſeſſing, levying or applying taxes or ſupplies for the ſupport of government, or the current expences of the ſtate, or appropriating money in the treaſury, ſhall be deemed a money bill.

12. That the houſe of delegates may puniſh, by impriſonment, any perſon who ſhall be guilty of a contempt in their view, by any diſorderly or riotous behaviour, or by threats to, or abuſe of, their members, or by any obſtruction to their proceedings; they may alſo puniſh, by impriſonment, any perſon who ſhall be guilty of a breach of privilege, by arreſting on civil proceſs, or by aſſaulting, any of their members, during their ſitting, or on their way to or return from the houſe of delegates, or by any aſſault of or obſtruction to their officers, in the execution of any order or proceſs, or by aſſaulting or obſtructing any witneſs, or any other perſon, attending on, or on their way to or from the houſe, or by reſcuing any perſon committed by the houſe; and the ſenate may exerciſe the ſame power, in ſimilar caſes.

13. That the treaſurers (one for the weſtern and another for the eaſtern ſhore) and the commiſſioners of the loan-office, may be appointed by the houſe of delegates during their pleaſure, and in caſe of refuſal, death, reſignations, diſqualification, or removal out of the ſtate, of any of the ſaid commiſſioners or treaſurers, in the receſs of the general aſſembly, the governor, with the advice of the council, may appoint and commiſſion a fit and proper perſon to ſuch vacant office, to hold the ſame until the meeting of the next general aſſembly.

14. That the ſenate be choſen in the following manner: All perſons, qualified as aforeſaid to vote for county delegates, ſhall, on the firſt Monday of September, 1781, and on the ſame day in every fifth year for ever thereafter, elect, *viva voce*, by a majority of votes, two perſons for their reſpective counties, qualified as aforeſaid to be elected county delegates, to be electors of the ſenate; (a) and the ſheriff of each county, or in caſe of ſickneſs, his deputy, (ſummoning two juſtices of the county who are required to attend for the preſervation of the peace,) ſhall hold and be judge of the ſaid election, and make return thereof as aforeſaid: And all perſons qualified as aforeſaid to vote for delegates for the city of Annapolis and Baltimore-town, ſhall, on the ſame firſt Monday of September 1781, and on the ſame day in every fifth year for ever thereafter, elect, *viva voce*, by a majority of votes, one perſon for the ſaid city and town reſpectively, qualified as aforeſaid to be elected a delegate for the ſaid city and town reſpectively; the ſaid election to be held in the ſame manner as the election of delegates for the ſaid city and town; (b) the right to elect the ſaid elector with reſpect to Baltimore-town to continue as long as the right to elect delegates for the ſaid town.

15. That the ſaid electors of the ſenate meet at the city of Annapolis, or ſuch other place as ſhall be appointed for convening the legiſlature, on the third Monday in September, 1781, and on the ſame day in every fifth year for ever thereafter, and they, or any twenty-four of them, ſo met, ſhall proceed to elect, by ballot, either out of their own body, or the people at large, fifteen ſenators, (nine of whom to be reſidents on the weſtern, and ſix to be reſidents on the eaſtern ſhore) men of the moſt wiſdom, experience and virtue, above twenty-five years of age, reſidents of the ſtate above three whole years next preceding the election, and having therein real and perſonal property above the value of one thouſand pounds current money.

16. That

(a) See the note to ſection 2.

(b) See the note to ſection 6.

16. That the ſenators ſhall be ballotted for at one and the ſame time, and out of the gentlemen, eſidents of the weſtern ſhore, who ſhall be propoſed as ſenators, the nine, who ſhall on ſtriking the allots appear to have the greateſt numbers in their favour, ſhall be accordingly declared and returned uly elected; and out of the gentlemen, reſidents of the eaſtern ſhore, who ſhall be propoſed as ſeators, the ſix who ſhall, on ſtriking the ballots, appear to have the greateſt numbers in their favour, hall be accordingly declared and returned duly elected; and if two or more, on the ſame ſhore, hall have an equal number of ballots in their favour, by which the choice ſhall not be determined on he firſt ballot, then the electors ſhall again ballot before they ſeparate, in which they ſhall be conned to the perſons who on the firſt ballot ſhall have had an equal number; and they who ſhall have he greateſt number in their favour on the ſecond ballot, ſhall be accordingly declared and returned uly elected; and if the whole number ſhould not thus be made up, becauſe of an equal number on he ſecond ballot ſtill being in favour of two or more perſons, then the election ſhall be determined y lot, between thoſe who have equal numbers; which proceedings of the electors ſhall be certified nder their hands, and returned to the chancellor for the time being.

17. That the electors of ſenators ſhall judge of the qualifications and elections of members of heir body, and on a conteſted election, ſhall admit to a ſeat, as an elector, ſuch qualified perſon as hall appear to them to have the greateſt number of legal votes in his favour.

18. That the electors, immediately on their meeting, and before they proceed to the election of enators, take ſuch oath (a) of ſupport and fidelity to this ſtate, as this convention or the legiſlature hall direct, and alſo an oath to elect, without favour, affection, partiality or prejudice, ſuch perſons or ſenators, as they, in their judgment and conſcience, believe beſt qualified for the office.

19. That in caſe of refuſal, death, reſignation, diſqualification, or removal out of this ſtate, of ny ſenator, or on his becoming governor, or a member of the council, the ſenate ſhall immediately hereupon, or at their next meeting thereafter, elect by ballot, in the ſame manner as the electors re above directed to chooſe ſenators, another perſon in his place, for the reſidue of the ſaid term f five years.

20. That not leſs than a majority of the ſenate, with their preſident, (to be choſen by them by allot) ſhall conſtitute a houſe for the tranſacting any buſineſs, other than that of adjourning.

21. That the ſenate ſhall judge of the elections and qualification of ſenators.

22. That the ſenate may originate any other except money bills, to which their aſſent or diſſent ly ſhall be given, and may receive any other bills from the houſe of delegates, and aſſent, diſſent, r propoſe amendments.

23. That the general aſſembly meet annually, on the firſt Monday of November, and if neceſſary ſtener.

24. That each houſe ſhall appoint its own officers, and ſettle its own rules of proceeding.

25. That a perſon of wiſdom, experience and virtue, ſhall be choſen governor, on the ſecond onday of November, ſeventeen hundred and ſeventy-ſeven, and on the ſecond Monday in every ear for ever thereafter, by the joint ballot of both houſes, to be taken in each houſe reſpectively, poſited in a conference room, the boxes to be examined by a joint committee of both houſes, and e numbers ſeverally reported, that the appointment may be entered; which mode of taking the int ballot of both houſes ſhall be adopted in all caſes. But if two or more ſhall have an equal numr of ballots in their favour, by which the choice ſhall not be determined on the firſt ballot, then a cond ballot ſhall be taken, which ſhall be confined to the perſons, who on the firſt ballot ſhall have d an equal number; and if the ballots ſhould again be equal between two or more perſons, then e election of the governor ſhall be determined by lot, between thoſe who have equal numbers; and the perſon choſen governor ſhall die, reſign, remove out of the ſtate, or refuſe to act, (ſitting the neral aſſembly) the ſenate and houſe of delegates ſhall immediately thereupon proceed to a new oice in manner aforeſaid.

26. That the ſenators and delegates, on the ſecond Tueſday of November, ſeventeen hundred and venty-ſeven, and annually on the ſecond Tueſday of November for ever thereafter, elect by joint llot, in the ſame manner as ſenators are directed to be choſen, five of the moſt ſenſible, diſcreet, d experienced men, above twenty-five years of age, reſidents in the ſtate above three years next eceding the election, and having therein a free-hold of lands and tenements above the value of one thouſand

(a) See 1794, ch. 49, (confirmed by 1795, ch. 11,) which directs, that members of either of the religious ſects or ſocieties ed Quakers, Menoniſts, Tunkers or Nicolites, or New Quakers, and who ſhall be conſcientiouſly ſcrupulous of taking an oath ny occaſion, being otherwiſe qualified and duly elected a ſenator, delegate or elector of the ſenate, or being otherwiſe qualified duly appointed or elected to any office of profit or truſt, on making affirmation, inſtead of taking the ſeveral oaths appointed he conſtitution and form of government, and the ſeveral acts of aſſembly of this ſtate now in force, or that hereafter may be e, ſuch perſon may hold and exerciſe any office of profit or truſt to which he may be appointed or elected, and may, by ſuch mation, qualify himſelf to take a ſeat in the legiſlature, and to act therein as a member of the ſame in all caſes whatever, or to n elector of the ſenate, in as full and ample a manner, to all intents and purpoſes whatever, as perſons are now competent and ified to act who are not conſcientiouſly ſcrupulous of taking ſuch oaths.

thouſand pounds current money, (a) to be the council to the governor, whoſe proceedings ſhall be always entered on record, to any part whereof any member may enter his diſſent, and their advice, if ſo required by the governor, or any member of the council, ſhall be given in writing, and ſigned by the members giving the ſame reſpectively; which proceedings of the council ſhall be laid before the ſenate, or houſe of delegates, when called for by them, or either of them. The council may appoint their own clerk, who ſhall take ſuch oath of ſupport and fidelity to this ſtate as this convention or the legiſlature ſhall direct, and of ſecrecy, in ſuch matters as he ſhall be directed by the board to keep ſecret.

27. That the delegates to congreſs from this ſtate ſhall be choſen annually, or ſuperſeded in the mean-time, by the joint ballot of both houſes of aſſembly, and that there be a rotation in ſuch manner that at leaſt two of the number be annually changed, and no perſon ſhall be capable of being a delegate to congreſs for more than three in any term of ſix years; and no perſon who holds any office of profit in the gift of congreſs ſhall be eligible to ſit in congreſs, but if appointed to any ſuch office his ſeat ſhall be thereby vacated: That no perſon, unleſs above twenty-five years of age, and a reſident in this ſtate more than five years next preceding the election, and having real and perſonal eſtate in this ſtate above the value of one thouſand pounds current money, ſhall be eligible to ſit in congreſs. (b)

28. That the ſenators and delegates, immediately on their annual meeting, and before they proceed to any buſineſs, and every perſon hereafter elected a ſenator or delegate, before he acts as ſuch, ſhall take an oath (c) of ſupport and fidelity to this ſtate as aforeſaid; and before the election of a governor, or members of the council, ſhall take an oath, "to elect without favour, affection, partiality or prejudice, ſuch perſon as governor, or member of the council, as they in their judgment and conſcience believe beſt qualified for the office."

29. That the ſenate and delegates may adjourn themſelves reſpectively; but if the two houſes ſhould not agree on the ſame time, but adjourn to different days, then ſhall the governor appoint and notify one of thoſe days, or ſome day between, and the aſſembly ſhall then meet and be held accordingly; and he ſhall, if neceſſary, by advice of the council, call them before the time to which they ſhall in any manner be adjourned, on giving not leſs than ten days notice thereof, but the governor ſhall not adjourn the aſſembly otherwiſe than as aforeſaid, nor prorogue or diſſolve it at any time.

30. That no perſon, unleſs above twenty-five years of age, a reſident in this ſtate above five years next preceding the election, and having in the ſtate real and perſonal property above the value of five thouſand pounds current money, one thouſand pounds whereof at leaſt to be of free-hold eſtate, (d) ſhall be eligible as governor.

31. That the governor ſhall not continue in that office longer than three years ſucceſſively, nor be eligible as governor until the expiration of four years after he ſhall have been out of that office.

32. That upon the death, reſignation, or removal out of this ſtate, of the governor, the firſt named of the council for the time being ſhall act as governor, and qualify in the ſame manner, and ſhall immediately call a meeting of the general aſſembly, giving not leſs than fourteen days notice of the meeting, at which meeting a governor ſhall be appointed, in manner aforeſaid, for the reſidue of the year.

33. That the governor, by and with the advice and conſent of the council, may embody the militia, and when embodied, ſhall alone have the direction thereof, and ſhall alſo have the direction of all the regular land and ſea forces under the laws of this ſtate, but he ſhall not command in perſon, unleſs adviſed thereto by the council, and then only ſo long as they ſhall approve thereof, and may alone exerciſe all other the executive powers of government, where the concurrence of the council is not required, according to the laws of this ſtate, and grant reprieves or pardons for any crime, except in ſuch caſes where the law ſhall otherwiſe direct; and may, during the receſs of the general aſſembly, lay embargoes to prevent the departure of any ſhipping, or the exportation of any commodities, for any time not exceeding thirty days in any one year, ſummoning the general aſſembly to meet within the time of the continuance of ſuch embargo, and may alſo order and compel any veſſel to ride quarantine, if ſuch veſſel, or the port from which ſhe ſhall have come, ſhall, on ſtrong grounds, be ſuſpected to be infected with the plague; but the governor ſhall not, under any pretence, exerciſe any power or prerogative, by virtue of any law, ſtatute or cuſtom, of England or Great Britain.

34. That the members of the council, or any three or more of them, when convened, ſhall conſtitute a board for the tranſacting of buſineſs; that the governor for the time being ſhall preſide in the

(a) See the note to ſection 2.

(b) This ſection has not been altered in the mode preſcribed by the conſtitution, but, by the adoption of the general government, it has ceaſed to have any operation.

(c) See the note to ſection 18.

(d) See the note to ſection 2.

council, and be entitled to a vote on all queſtions in which they ſhall be divided in opinion; and he abſence of the governor the firſt named of the council ſhall preſide, and as ſuch ſhall alſo vote ll caſes where the other members diſagree in their opinion.

5. That in caſe of refuſal, death, reſignation, diſqualification, or removal out of the ſtate, by perſon choſen a member of the council, the members thereof, immediately thereupon, or at their t meeting thereafter, ſhall elect, by ballot, another perſon, qualified as aforeſaid, in his place, the reſidue of the year.

6. That the council ſhall have power to make the great ſeal of this ſtate, which ſhall be kept by chancellor for the time being, and affixed to all laws, commiſſions, grants, and other public teſonials, as has been heretofore practiſed in this ſtate.

7. That no ſenator, delegate of the aſſembly, or member of the council, if he ſhall qualify as , ſhall hold or execute any office of profit, or receive the profits of any office exerciſed by any r perſon during the time for which he ſhall be elected; nor ſhall any governor be capable of holdany other office of profit in this ſtate (a) while he acts as ſuch; and no perſon holding a place of it, or receiving any part of the profits thereof, or receiving the profits, or any part of the profits, ng on any agency for the ſupply of cloathing or proviſions for the army or navy, or holding any e under the United States, or any of them, or a miniſter or preacher of the goſpel, of any denoation, or any perſon employed in the regular land ſervice, or marine, of this or the United es, ſhall have a ſeat in the general aſſembly or the council of this ſtate.

8. That every governor, ſenator, delegate to congreſs or aſſembly, and member of the council, be- he acts as ſuch, ſhall take an oath, (b) that he will not receive, directly or indirectly, at any time, part of the profits of any office held by any other perſon, during his acting in his office of gover- ſenator, delegate to congreſs or aſſembly, or member of the council, or the profits, or any part he profits, ariſing on any agency for the ſupply of cloathing or proviſions for the army or navy.

9. That if any ſenator, delegate to congreſs or aſſembly, or member of the council, ſhall hold or ute any office of profit, or receive, directly or indirectly, at any time, the profits, or any part he profits, of any office exerciſed by any other perſon, during his acting as ſenator, delegate to greſs or aſſembly, or member of the council, his ſeat, on conviction in a court of law, by the of two credible witneſſes, ſhall be void, and he ſhall ſuffer the puniſhment for wilful and cor- perjury, or be baniſhed this ſtate for ever, or diſqualified for ever from holding any office or e of truſt or profit, as the court may adjudge.

10. That the chancellor, all judges, the attorney-general, clerks of the general court, the clerks he county courts, the regiſters of the land-office, and the regiſters of wills, ſhall hold their comions during good behaviour, removable only for miſbehaviour, on conviction in a court of law.

11. That there be a regiſter of wills appointed for each county, who ſhall be commiſſioned by the ernor, on the joint recommendation of the ſenate and houſe of delegates, and that upon the h, reſignation, diſqualification, or removal out of the county, by any regiſter of wills in the re- of the general aſſembly, the governor, with the advice of the council, may appoint and comion a fit and proper perſon to ſuch vacant office, to hold the ſame until the meeting of the geneaſſembly.

12. That ſheriffs ſhall be elected in each county by ballot, every third year; that is to ſay, two ons for the office of ſheriff for each county, the one of whom having the majority of votes, or if have an equal number, either of them, at the diſcretion of the governor, to be commiſſioned by governor for the ſaid office; and having ſerved for three years, ſuch perſon ſhall be ineligible for four years next ſucceeding; bond with ſecurity to be taken every year as uſual, and no ſheriff be qualified to act before the ſame is given. In caſe of death, refuſal, reſignation, diſqualifica-, or removal out of the county, before the expiration of the three years, the other perſon choſen foreſaid, ſhall be commiſſioned by the governor to execute the ſaid office for the reſidue of the three years, the ſaid perſon giving bond with ſecurity as aforeſaid, and in caſe of his death, re-, reſignation, diſqualification, or removal out of the county, before the expiration of the ſaid e years, the governor, with the advice of the council, may nominate and commiſſion a fit and per perſon to execute the ſaid office for the reſidue of the ſaid three years, the ſaid perſon giving and ſecurity as aforeſaid; the election ſhall be held at the ſame time and place appointed for election of delegates, and the juſtices there ſummoned to attend for the preſervation of the pea e be judges thereof, and of the qualification of candidates, who ſhall appoint a clerk to take the ots. All free men above the age of twenty-one years, having a free-hold of fifty acres of land in county in which they offer to ballot, and reſiding therein, and all free men above the age of nty-one years, and having property in the ſtate above the value of thirty pounds current money, having reſided in the county in which they offer to ballot one whole year next preceding the tion, ſhall have a right of ſuffrage; no perſon to be eligible to the office of ſheriff for a county

(a) See the note to ſection 2.

(b) See the note to ſection 18.

but an inhabitant of the ſaid county, above the age of twenty-one years, and having real and perſonal property in the ſtate above the value of one thouſand pounds current money; the juſtices aforeſaid ſhall examine the ballots, and the two candidates properly qualified, having in each county the majority of legal ballots, ſhall be declared duly elected for the office of ſheriff for ſuch county and returned to the governor and council, with a certificate of the number of ballots for each of them.

43. That every perſon who ſhall offer to vote for delegates or for the electors of the ſenate, or for the ſheriff, ſhall, (if required by any three perſons qualified to vote,) before he be admitted to poll take ſuch oath or affirmation of ſupport and fidelity to this ſtate as this convention or the legiſlature ſhall direct.

44. That a juſtice of the peace may be eligible as a ſenator, delegate, or member of the council and may continue to act as a juſtice of the peace.

45. That no field-officer of the militia ſhall be eligible as a ſenator, delegate, or member of the council.

46. That all civil officers hereafter to be appointed for the ſeveral counties of this ſtate ſhall have been reſidents of the county reſpectively for which they ſhall be appointed ſix months next before their appointment, and ſhall continue reſidents of their county reſpectively during their continuance in office.

47. That the judges of the general court and juſtices of the county courts may appoint the clerks of their reſpective courts, and in caſe of refuſal, death, reſignation, diſqualification, or removal out of the ſtate, or from their reſpective ſhores, of the clerks of the general court, or either of them in the vacation of the ſaid court; and in caſe of the refuſal, death, reſignation, diſqualification, or removal out of the county, of any of the ſaid county clerks, in the vacation of the county court for which he is clerk, the governor, with the advice of the council, may appoint and commiſſion a fit and proper perſon to ſuch vacant office reſpectively, to hold the ſame until the meeting of the next general court or county court, as the caſe may be.

48. That the governor for the time being, with the advice and conſent of the council, may appoint the chancellor, and all judges and juſtices, the attorney-general, naval-officers, officers in the regular land and ſea ſervice, officers of the militia, regiſters of the land-office, ſurveyors, and all other civil officers of government, (aſſeſſors, conſtables and overſeers of the roads, only excepted) and may alſo ſuſpend or remove any civil officer who has not a commiſſion during good behaviour, and may ſuſpend any militia officer for one month, and may alſo ſuſpend or remove any regular officer in the land or ſea ſervice; and the governor may remove or ſuſpend any militia officer in purſuance of the judgment of a court-martial.

49. That all civil officers, of the appointment of the governor and council, who do not hold commiſſions during good behaviour, ſhall be appointed annually in the third week of November, but if any of them ſhall be re-appointed, they may continue to act without any new commiſſion or qualification; and every officer, though not re-appointed, ſhall continue to act until the perſon who ſhall be appointed and commiſſioned in his ſtead ſhall be qualified.

50. That the governor, every member of the council, and every judge and juſtice, before they act as ſuch, ſhall reſpectively take an oath, (a) that he will not, through favour, affection or partiality, vote for any perſon to office, and that he will vote for ſuch perſon as in his judgment and conſcience he believes moſt fit and beſt qualified for the office, and that he has not made, nor will make, any promiſe or engagement to give his vote or intereſt in favour of any perſon.

51. That there be two regiſters of the land-office, one upon the weſtern and one upon the eaſtern ſhore; that ſhort extracts of the grants and certificates of the land on the weſtern and eaſtern ſhore reſpectively be made in ſeparate books, at the public expence, and depoſited in the offices of the ſaid regiſters, in ſuch manner as ſhall hereafter be provided by the general aſſembly.

52. That every chancellor, judge, regiſter of wills, commiſſioner of the loan-office, attorney-general, ſheriff, treaſurer, naval-officer, regiſter of the land-office, regiſter of the chancery court, and every clerk of the common law courts, ſurveyor, and auditor of public accounts, before he acts as ſuch, ſhall take an oath, (b) that he will not, directly or indirectly, receive any fee or reward for doing his office of ————, but what is or ſhall be allowed by law, nor will, directly or indirectly, receive the profits, or any part of the profits, of any office held by any other perſon, and that he does not hold the ſame office in truſt or for the benefit of any other perſon.

53. That if any governor, chancellor, judge, regiſter of wills, attorney-general, regiſter of the land-office, commiſſioner of the loan-office, regiſter of the chancery court, or any clerk of the common law courts, treaſurer, naval-officer, ſheriff, ſurveyor, or auditor of public accounts, ſhall receive, directly or indirectly, at any time, the profits, or any part of the profits, of any office held by any other perſon, during his acting in the office to which he is appointed, his election, appoint-

(a) See the note to ſection 18.

(b) See the note to ſection 18.

nt and commiſſion, on conviction in a court of law, by the oath of two credible witneſſes, ſhall be d, and he ſhall ſuffer the puniſhment for wilful and corrupt perjury, or be baniſhed this ſtate for er, or diſqualified for ever from holding any office or place of truſt or profit, as the court may adge.

54. That if any perſon ſhall give any bribe, preſent or reward, or any promiſe, or any ſecurity the payment or delivery of any money, or any other thing, to obtain or procure a vote, to be vernor, ſenator, delegate to congreſs or aſſembly, member of the council, or judge, or to be apnted to any of the ſaid offices, or to any office of profit or truſt now created or hereafter to be eated in this ſtate, the perſon giving and the perſon receiving the ſame, on conviction in a court law, ſhall be for ever diſqualified to hold any office of truſt or profit in this ſtate.

55. That every perſon appointed to any office of profit or truſt ſhall, before he enters on the exeion thereof, take the following oath, (a) to wit: "I, A. B. do ſwear, that I do not hold myſelf bound in allegiance to the king of Great-Britain, and that I will be faithful and bear true allegiance to the ſtate of Maryland;" and ſhall alſo ſubſcribe a declaration of his belief in the riſtian religion.

56. That there be a court of appeals, compoſed of perſons of integrity and ſound judgment in the v, whoſe judgment ſhall be final and concluſive in all caſes of appeal from the general court, court chancery, and court of admiralty: That one perſon of integrity and ſound judgment in the law appointed chancellor: That three perſons of integrity and ſound judgment in the law be appointjudges of the court now called the Provincial Court; and that the ſame court be hereafter called l known by the name of the General Court; which court ſhall ſit on the weſtern and eaſtern ſhores tranſacting and determining the buſineſs of the reſpective ſhores, at ſuch times and places as the ure legiſlature of this ſtate ſhall direct and appoint.

57. That the ſtyle of all laws run thus, "Be it enacted, by the General Aſſembly of Maryland:" at all public commiſſions and grants run thus, "The ſtate of Maryland, &c." and ſhall be ſigned the governor, and atteſted by the chancellor, with the ſeal of the ſtate annexed, except military d militia commiſſions, which ſhall not be atteſted by the chancellor, or have the ſeal of the ſtate nexed: That all writs ſhall run in the ſame ſtyle, and be teſted, ſealed and ſigned as uſual: That indictments ſhall conclude, "Againſt the peace, government and dignity of the ſtate."

58. That all penalties and forfeitures, heretofore going to the king or proprietary, ſhall go to the te, ſave only ſuch as the general aſſembly may aboliſh or otherwiſe provide for.

59. That this form of government, and the declaration of rights, and no part thereof, ſhall be alred, changed or aboliſhed, unleſs a bill ſo to alter, change or aboliſh the ſame, ſhall paſs the gene aſſembly, and be publiſhed at leaſt three months before a new election, and ſhall be confirmed by e general aſſembly after a new election of delegates, in the firſt ſeſſion after ſuch new election; ovided that nothing in this form of government, which relates to the eaſtern ſhore particularly, all at any time hereafter be altered, unleſs for the alteration and confirmation thereof at leaſt two irds of all the members of each branch of the general aſſembly ſhall concur.

60. That every bill paſſed by the general aſſembly, when engroſſed, ſhall be preſented by the eaker of the houſe of delegates, in the ſenate, to the governor for the time being, who ſhall ſign e ſame, and thereto affix the great ſeal, in the preſence of the members of both houſes: Every law all be recorded in the general court office of the weſtern ſhore, and in due time printed, publiſhed d certified, under the great ſeal, to the ſeveral county courts, in the ſame manner as hath been retofore uſed in this ſtate.

The following ſection is contained in the proceedings of the convention on framing the conſtitution:

61. That to introduce the new government, an election be held for the electors of the ſenate on onday the twenty-fifth of November in this preſent year, and that the electors of the ſenate meet Annapolis on Monday the ninth of December in this preſent year, and there chooſe ſenators; and at an election be held on Wedneſday the eighteenth of December, for delegates to ſerve in gene aſſembly, and for ſheriffs; and that the ſaid elections be made by ſuch perſons, in the ſame man r, and under the ſame qualifications, as ſuch elections are herein before directed to be made at the riodical times before mentioned; the returns of all which firſt elections ſhall be made to the coun of ſafety for the time being; and the general aſſembly ſhall meet at Annapolis on Monday the nth of February next, and ſhall, in their then ſeſſion, or in ſuch future ſeſſion as they ſhall think oper, chooſe a governor and council for the reſidue of the year in the manner before directed; and r filling, in the firſt inſtance only, all the offices in the diſpoſition of the governor, with the advice

(a) See the note to ſection 18.

of the council, the house of delegates may also propose to the senate a list of all officers in the appointment of the governor with the advice of the council, and on the senate concurring therein, or in the recommendation of any of the persons therein mentioned, such persons so recommended shall be commissioned by the governor; but if the senate shall not concur in the recommendation of any of the persons proposed as aforesaid, then shall a joint ballot of both houses be taken in manner aforesaid for persons to be recommended for such offices, and the persons in whose favour such ballot shall pass shall be commissioned as aforesaid.

That the said elections for all the counties in this state, except Washington, Montgomery, Cæcil and Queen-Anne's, be held at the places of holding the county courts of those counties respectively.

That the elections for Washington county be held at Hagar's-town.

That the elections for Montgomery county be held at the house now occupied by Charles Hungerford.

That the elections for Cæcil county be held at the Head of Elk. And,

That the elections for Queen-Anne's county be held at Chester mill, where George Hanson now dwells.

That Abraham Barnes, Hugh Hopewell and Henry Tubman, Esquires, or any two or one of them be judge of and hold the elections for Saint-Mary's county.

That George Dent, Samuel Hanson and Warren Dent, Esquires, or any two or one of them, be judge of and hold the elections for Charles county.

That William Allnut, Samuel Chew and Daniel Rawlings, Esquires, or any two or one of them be judge of and hold the elections for Calvert county.

That William Beans, Enoch Magruder and Jeremiah Magruder, Esquires, or any two or one of them, be judge of and hold the elections for Prince-George's county.

That Joseph Galloway, Thomas Dorsey and Thomas Watkins, Esquires, or any two or one of them, be judge of and hold the elections for Anne-Arundel county.

That John Murdock, Zadock Magruder and Joseph Wilson, Esquires, or any two or one of them be judge of and hold the elections for Montgomery county.

That William Luckett, John Adhun and Joseph Wells, Esquires, or any two or one of them, be judge of and hold the elections for Frederick county.

That Joseph Smith, Noah Hart and Ely Williams, Esquires, or any two or one of them, be judge of and hold the elections for Washington county.

That Thomas Gist, sen. Edward Cockey and Henry Stevenson, jun. Esquires, or any two or one of them, be judge of and hold the elections for Baltimore county.

That Amos Garrett, William Webb and Thomas Johnson, Esquires, or any two or one of them be judge of and hold the elections for Harford county.

That James Evans, Thomas May and John Stockton, Esquires, or any two or one of them, be judge of and hold the elections for Cæcil county.

That John Page, William Rogers and William Bordley, Esquires, or any two or one of them, be judge of and hold the elections for Kent county.

That Thomas Ringgold, Nathaniel Wright and Samuel Thompson, Esquires, or any two or one of them, be judge of and hold the elections for Queen-Anne's county.

That John Goldsborough, William Perry and John Bracco, Esquires, or any two or one of them be judge of and hold the elections for Talbot county.

That Henry Hooper, Q. S. Bartholomew Ennalls and James Muir, Esquires, or any two or one of them, be judge of and hold the elections for Dorchester county.

That Henry Casson, Foster Goldsborough and John White, Esquires, or any two or one of them be judge of and hold the elections for Caroline county.

That Thomas Hayward, Andrew Francis Cheney and Thomas Bruff, Esquires, or any two or one of them, be judge of and hold the elections for Somerset county.

That Joshua Mitchell, Benton Harris and Robert Done, Esquires, or any two or one of them, be judge of and hold the elections for Worcester county.

That the mayor, recorder and aldermen, of the city of Annapolis, or any three or more of them be judges of and hold the elections for the city of Annapolis.

That John Merryman, jun. James Calhoun and Benjamin Griffin, Esquires, or any two or one of them, be judge of and hold the elections for Baltimore-town.

That a clerk or clerks be appointed by the said judges for taking the polls at the said elections.

That every judge of the election, before he proceeds to take or receive any vote, shall take the following oath, or affirmation, to wit: "I, A. B. do swear, or affirm, that I will permit all persons "to vote who shall offer to poll at the elections now to be held for ——— county, ——— city "or ——— town, who in my judgment shall, according to the directions contained in the form of "government, be entitled to poll at the same election, and that I will not admit any person to poll "

"at the ſame election, who, before his voting, ſhall be objected againſt by any three of the electors, "if ſuch perſon is not, in my judgment, qualified to vote as aforeſaid, and will in all things execute "the office of judge of the ſaid elections according to the beſt of my knowledge, without favour or "partiality; ſo help me God."

That every clerk, before he enters any vote on the polls, ſhall take the following oath, to wit: "I, A. B. do declare, that I will well and faithfully, without favour, affection or partiality, execute "the office of clerk of the elections for ——— county, the city of Annapolis, or Baltimore-town, "according the beſt of my knowledge; ſo help me God."

ALTERATIONS OF THE CONSTITUTION.

An ACT (a) to prohibit members of congreſs, or perſons in office under the United States, from being eligible as members of the legiſlature or council, or holding offices in this ſtate.

(a) 1791, ch. 80.

BE IT ENACTED, *by the General Aſſembly of Maryland*, That no member of congreſs, or perſon holding an office of truſt or profit under the United States, ſhall be capable of having a ſeat in the general aſſembly, or being an elector of the ſenate, or holding any office of truſt or profit under this ſtate; and if any member of the general aſſembly, elector of the ſenate, or perſon holding an office of truſt or profit under this ſtate, ſhall take his ſeat in congreſs, or accept of an office of truſt or profit under the United States, or being elected to congreſs, or appointed to an office of truſt or profit under the United States, not make his reſignation of his ſeat in congreſs, or of his office, as the caſe may be, within thirty days after notice of his election or appointment to office as aforeſaid, his ſeat in the legiſlature of this ſtate, or as elector of the ſenate, or of his office held under this ſtate as aforeſaid, ſhall be void; provided, that no perſon who is now, or may be at the time when this act becomes part of the conſtitution, a member both of congreſs and of the legiſlature of this ſtate, or who now holds, or may hold at the time when this act becomes part of the conſtitution, an office as aforeſaid, both under this ſtate and the United States, ſhall be affected by this act, if, within fifteen days after the ſame ſhall become part of the conſtitution, he ſhall reſign his ſeat in congreſs, or his office held under the United States; and if this act ſhall be confirmed by the general aſſembly, after the next election of delegates, in the firſt ſeſſion after ſuch new election, according to the conſtitution and form of government, that in ſuch caſe this alteration and amendment of the conſtitution and form of government ſhall conſtitute and be valid as part thereof, and every thing therein contained repugnant to or inconſiſtent with this alteration and amendment ſhall be repealed and abolished.

An ACT (b) to confirm an act to prohibit members of congreſs, or perſons in office under the United States, from being eligible as members of the legiſlature or council, or holding offices in this ſtate.

(b) November, 1792, ch. 22.

BE IT ENACTED, *by the General Aſſembly of Maryland*, That an act paſſed at November ſeſſion, ſeventeen hundred and ninety-one, entitled, An act to prohibit members of congreſs, or perſons in office under the United States, from being eligible as members of the legiſlature or council, or holding offices in this ſtate, ſhall be and is hereby confirmed.

An ACT (c) to alter ſuch parts of the conſtitution and form of government which prevent perſons conſcientiouſly ſcrupulous of taking an oath from being members of the legiſlature, electors of the ſenate, or to hold offices of profit and truſt.

(c) 1794, ch. 49.

BE IT ENACTED, *by the General Aſſembly of Maryland*, That every perſon, being a member of either of the religious ſects or ſocieties called Quakers, Menoniſts, Tunkers or Nicolites, or New Quakers, and who ſhall be conſcientiouſly ſcrupulous of taking an oath on any occaſion, being otherwiſe qualified and duly elected a ſenator, delegate, or elector of the ſenate, or being otherwiſe qualified and duly appointed or elected to any office of profit or truſt, on making affirmation inſtead of taking the ſeveral oaths appointed by the conſtitution and form of government, and the ſeveral acts of aſſembly of this ſtate now in force, or that hereafter may be made, ſuch perſon may hold and exerciſe any office of profit or truſt to which he may be appointed or elected, and may, by ſuch affirmation, qualify himſelf to take a ſeat in the legiſlature, and to act therein as a member of the ſame in all caſes whatever, or to be an elector of the ſenate, in as full and ample a manner, to all intents and purpoſes whatever, as perſons are now competent and qualified to act who are not conſcientiouſly ſcrupulous of taking ſuch oaths.

II. AND

II. AND BE IT ENACTED, That if this act ſhall be confirmed by the general aſſembly, after the next election of delegates, in the firſt ſeſſion after ſuch new election, as the conſtitution and form of government directs, that in ſuch caſe this act, and the alterations and amendments of the conſtitution and form of government therein contained, ſhall be taken and conſidered, and ſhall conſtitute and be valid, as a part of the ſaid conſtitution and form of government, to all intents and purpoſes, any thing in the ſaid conſtitution and form of government contained to the contrary notwithſtanding.

III. AND BE IT ENACTED, That the ſeveral clauſes and ſections of the conſtitution and form of government contrary to the proviſions of this act, ſo far as they reſpect either of the ſects or ſocieties aforeſaid, ſhall be and are hereby declared to be repealed and annulled, on the confirmation hereof.

An ACT (a) to confirm an act paſſed at November ſeſſion, one thouſand ſeven hundred and ninety-four, entitled, An act to alter ſuch parts of the conſtitution and form of government which prevent perſons conſcientiouſly ſcrupulous of taking an oath from being members of the legiſlature, electors of the ſenate, or to hold offices of profit and truſt.

(a) 1795, ch. 11.

BE IT ENACTED, *by the General Aſſembly of Maryland*, That an act paſſed at November ſeſſion, ſeventeen hundred and ninety-four, entitled, An act to alter ſuch parts of the conſtitution and form of government which prevent perſons conſcientiouſly ſcrupulous of taking an oath from being members of the legiſlature, electors of the ſenate, or to hold offices of profit and truſt, ſhall be and the ſame is hereby confirmed.

An ACT (a) to alter and repeal thoſe parts of the conſtitution and form of government that make the commiſſioners of Baltimore-town judges of the elections for delegates and for elector of the ſenate.

(b) 1797, ch. 57.

BE IT ENACTED, *by the General Aſſembly of Maryland*, That the mayor and ſecond branch of the city council of the city of Baltimore, or any three or more of them, for the time being, ſhall be judges of the elections for delegates of the city of Baltimore, and for elector of the ſenate, and ſhall have and exerciſe all the rights and authorities reſpecting ſuch elections which were veſted in the commiſſioners of Baltimore-town, in virtue of the conſtitution and form of government.

II. AND BE IT ENACTED, That all ſuch parts of the conſtitution and form of government as make the commiſſioners of Baltimore-town judges of the elections for delegates, and for elector of the ſenate, be and the ſame are hereby repealed.

III. AND BE IT ENACTED, That this act ſhall commence and be in force, if it ſhall be publiſhed at leaſt three months before the next election of delegates, and ſhall be confirmed by the general aſſembly, in their firſt ſeſſion after ſuch new election.

An ACT, (a) entitled, An act to confirm an act, entitled, An act to alter and repeal thoſe parts of the conſtitution and form of government that make the commiſſioners of Baltimore-town judges of the elections for delegates and for elector of the ſenate.

(c) 1798, ch. 2.

WHEREAS at a ſeſſion of aſſembly, begun and held at the city of Annapolis on Monday the ſixth of November, in the year of our Lord one thouſand ſeven hundred and ninety-ſeven, an act of aſſembly, entitled, An act to alter and repeal thoſe parts of the conſtitution and form of government that make the commiſſioners of Baltimore-town judges of the elections for delegates and for elector of the ſenate, was paſſed, to alter and repeal thoſe parts of the conſtitution and form of government that are therein mentioned: And whereas the ſaid act of aſſembly hath been publiſhed in due form for the ſpace of three months next before the late general election of delegates to the houſe of delegates, according to the proviſions of the ſaid form of government, and this general aſſembly hereby intend to confirm the ſaid act,

II. BE IT ENACTED, *by the General Aſſembly of Maryland*, That the ſaid act, entitled, An act to alter and repeal thoſe parts of the conſtitution and form of government that make the commiſſioners of Baltimore-town judges of the elections for delegates and for elector of the ſenate, be and it is hereby confirmed and made valid, to every intent and purpoſe therein mentioned.

An

ALTERATIONS OF THE CONSTITUTION.

n ACT (a) to alter ſuch parts of the declaration of rights, the conſtitution and form of government, as prevent perſons conſcientiouſly ſcrupulous of taking an oath from being witneſſes in all caſes.

(a) 1797, ch. 118.

WHEREAS perſons conſcientiouſly ſcrupulous of taking an oath labour under many and great inconveniencies, owing to their not being admitted to make their ſolemn affirmation as witneſſes in all caſes inſtead of an oath; therefore,

II. BE IT ENACTED, *by the General Aſſembly of Maryland*, That the people called Quakers, thoſe lled Nicolites or New Quakers, thoſe called Tunkers, and thoſe called Menoniſts, holding it unwful to take an oath on any occaſion, ſhall be allowed to make their ſolemn affirmation as witneſſes, the manner that quakers have been heretofore allowed to affirm, which affirmation ſhall be of the ne avail as an oath, to all intents and purpoſes whatever.

III. AND BE IT ENACTED, That before any of the perſons aforeſaid ſhall be admitted as a witneſs any court of juſtice in this ſtate, the court ſhall be ſatisfied, by ſuch teſtimony as they may re-ire, that ſuch perſon is one of thoſe who profeſs to be conſcientiouſly ſcrupulous of taking an oath.

IV. AND BE IT ENACTED, That if this act ſhall be confirmed by the general aſſembly, after the xt election of delegates, in the firſt ſeſſion after ſuch new election, as the conſtitution and form of vernment directs, that in ſuch caſe this act, and the alterations and amendment of the conſtitution l form of government therein contained, ſhall be taken and conſidered, and ſhall conſtitute and be id, as part of the ſaid conſtitution and form of government, to all intents and purpoſes, any thing the ſaid declaration of rights, conſtitution and form of government contained, to the contrary withſtanding.

V. AND BE IT ENACTED, That the ſeveral clauſes and ſections of the declaration of rights, con-ution and form of government, contrary to the proviſions of this act, ſo far as they reſpect either the ſects or ſocieties aforeſaid, ſhall be and are hereby declared to be repealed and annulled, on e confirmation hereof.

ACT (b) to confirm an act, entitled, An act to alter ſuch parts of the declaration of rights, the conſtitution and form of government, as prevent perſons conſcientiouſly ſcrupulous of taking an oath from being witneſſes in all caſes.

(b) 1798, ch. 83.

E IT ENACTED, *by the General Aſſembly of Maryland*, That an act paſſed at November ſeſſion, ſeventeen hundred and ninety-ſeven, entitled, An act to alter ſuch parts of the declaration of hts, the conſtitution and form of government, as prevent perſons conſcientiouſly ſcrupulous of king an oath from being witneſſes in all caſes, ſhall be and the ſame is hereby confirmed.

THE DECLARATION OF INDEPENDENCE.

IN CONGRESS, JULY 4, 1776.

A DECLARATION by the Repreſentatives of the United States, in Congreſs aſſembled.

WHEN, in the courſe of human events, it becomes neceſſary for one people to diſſolve the political bands which have connected them with another, and to aſſume, among the powers of the rth, the ſeparate and equal ſtation to which the laws of nature and of nature's GOD entitle them, decent reſpect to the opinions of mankind requires that they ſhould declare the cauſes which im-l them to the ſeparation.

We hold theſe truths to be ſelf evident; that all men are created equal; that they are endowed their Creator with certain unalienable rights; that among theſe are life, liberty, and the purſuit happineſs; that to ſecure theſe rights, governments are inſtituted among men, deriving their t powers from the conſent of the governed; that whenever any form of government becomes deſtructive of theſe ends, it is the right of the people to alter or to aboliſh it, and to inſtitute new vernment, laying its foundation on ſuch principles, and organizing its powers in ſuch form, as to em ſhall ſeem moſt likely to effect their ſafety and happineſs. Prudence, indeed, will dictate, that governments

governments long eſtabliſhed ſhould not be changed for light and tranſient cauſes; and accordingly all experience hath ſhewn, that mankind are more diſpoſed to ſuffer, while evils are ſufferable, than to right themſelves by aboliſhing the forms to which they are accuſtomed. But when a long train of abuſes and uſurpations, purſuing invariably the ſame object, evinces a deſign to reduce them under abſolute deſpotiſm, it is their right, it is their duty, to throw off ſuch government, and to provide new guards for their future ſecurity. Such has been the patient ſufferance of theſe colonies; and ſuch is now the neceſſity which conſtrains them to alter their former ſyſtems of government. The hiſtory of the preſent king of Great-Britain is a hiſtory of repeated injuries and uſurpations, all having in direct object the eſtabliſhment of an abſolute tyranny over theſe ſtates. To prove this let facts be ſubmitted to a candid world.

He has refuſed his aſſent to laws, the moſt wholeſome and neceſſary for the public good.

He has forbidden his governors to paſs laws of immediate and preſſing importance, unleſs ſuſpended in their operation till his aſſent ſhould be obtained; and when ſo ſuſpended, he has utterly neglected to attend to them.

He has refuſed to paſs other laws for the accommodation of large diſtricts of people, unleſs thoſe people would relinquiſh the right of repreſentation in the legiſlature; a right ineſtimable to them and formidable to tyrants only.

He has called together legiſlative bodies at places unuſual, uncomfortable, and diſtant from the depoſitory of their public records, for the ſole purpoſe of fatiguing them into compliance with his meaſures.

He has diſſolved repreſentative houſes repeatedly, for oppoſing, with manly firmneſs, his invaſions on the rights of the people.

He has refuſed, for a long time after ſuch diſſolutions, to cauſe others to be elected; whereby the legiſlative powers, incapable of annihilation, have returned to the people at large for their exerciſe; the ſtate remaining in the mean-time expoſed to all the danger of invaſion from without, and convulſions within.

He has endeavoured to prevent the population of theſe ſtates; for that purpoſe obſtructing the laws for naturalization of foreigners; refuſing to paſs others to encourage their migrations hither, and raiſing the conditions of new appropriations of lands.

He has obſtructed the adminiſtration of juſtice, by refuſing his aſſent to laws for eſtabliſhing judiciary powers.

He has made judges dependent on his will alone, for the tenure of their offices, and the amount and payment of their ſalaries.

He has erected a multitude of new offices, and ſent hither ſwarms of officers to harraſs our people, and eat out their ſubſtance.

He has kept among us, in times of peace, ſtanding armies, without the conſent of our legiſlatures.

He has affected to render the military independent of, and ſuperior to, the civil power.

He has combined with others to ſubject us to a juriſdiction foreign to our conſtitution, and unacknowledged by our laws; giving his aſſent to their acts of pretended legiſlation

For quartering large bodies of armed troops among us:

For protecting them, by a mock trial, from puniſhment for any murders which they ſhould commit on the inhabitants of theſe ſtates:

For cutting off our trade with all parts of the world:

For impoſing taxes on us without our conſent:

For depriving us, in many caſes, of the benefits of trial by jury:

For tranſporting us beyond ſeas to be tried for pretended offences:

For aboliſhing the free ſyſtem of Engliſh laws in a neighbouring province, eſtabliſhing therein an arbitrary government, and enlarging its boundaries, ſo as to render it at once an example and fit inſtrument for introducing the ſame abſolute rule into theſe colonies:

For taking away our charters, aboliſhing our moſt valuable laws, and altering fundamentally the forms of our governments:

For ſuſpending our own legiſlatures, and declaring themſelves inveſted with power to legiſlate for us in all caſes whatſoever.

He has abdicated government here, by declaring us out of his protection, and waging war againſt us.

He has plundered our ſeas, ravaged our coaſts, burnt our towns, and deſtroyed the lives of our people.

He is, at this time, tranſporting large armies of foreign mercenaries to complete the works of death, deſolation and tyranny, already begun with circumſtances of cruelty and perfidy, ſcarcely parallelled in the moſt barbarous ages, and totally unworthy the head of a civilized nation.

He has conſtrained our fellow-citizens taken captive on the high ſeas to bear arms againſt their country, to become the executioners of their friends and brethren, or to fall themſelves by their hands.

He

THE DECLARATION OF INDEPENDENCE.

He has excited domeſtic inſurrections amongſt us, and has endeavoured to bring on the inhabitants our frontiers, the mercileſs Indian ſavages, whoſe known rule of warfare is an undiſtinguiſhed ſtruction of all ages, ſexes and conditions.

In every ſtage of theſe oppreſſions we have petitioned for redreſs in the moſt humble terms; our peated petitions have been anſwered only by repeated injury. A prince, whoſe character is thus rked by every act which may define a tyrant, is unfit to be the ruler of a free people.

Nor have we been wanting in attention to our Britiſh brethren. We have warned them from time time of attempts made by their legiſlature to extend an unwarrantable juriſdiction over us. We ve reminded them of the circumſtances of our emigration and ſettlement here. We have appealed their native juſtice and magnanimity, and we have conjured them, by the ties of our common ndred, to diſavow theſe uſurpations, which would inevitably interrupt our connexions and correſndence. They too have been deaf to the voice of juſtice and of conſanguinity. We muſt, therefore, acquieſce in the neceſſity which denounces our ſeparation, and hold them, as we hold the reſt mankind, enemies in war, in peace friends.

We, therefore, the repreſentatives of the United States of America, in general congreſs aſſembled, pealing to the Supreme Judge of the world for the rectitude of our intentions, do, in the name d by the authority of the good people of theſe colonies, ſolemnly publiſh and declare, That theſe ited Colonies are, and of right ought to be, FREE AND INDEPENDENT STATES; that they are abved from all allegiance to the Britiſh crown, and that all political connexion between them and ſtate of Great-Britain is and ought to be totally diſſolved; and that as free and independent es, they have full power to levy war, conclude peace, contract alliances, eſtabliſh commerce, and do all other acts and things which independent ſtates may of right do. And for the ſupport of declaration, with a firm reliance on the protection of Divine Providence, we mutually pledge each other our lives, our fortunes, and our ſacred honour.

JOHN HANCOCK.

New-Hampſhire,
- Joſiah Bartlett,
- William Whipple,
- Matthew Thornton.

Maſſachuſetts-Bay,
- Samuel Adams,
- John Adams,
- Robert Treat Paine,
- Elbridge Gerry.

Rhode-Iſland, &c.
- Stephen Hopkins,
- William Ellery.

Connecticut,
- Roger Sherman,
- Samuel Huntington,
- William Williams,
- Oliver Wolcott.

New-York,
- William Floyd,
- Philip Livingſton,
- Francis Lewis,
- Lewis Morris.

New-Jerſey,
- Richard Stockton,
- John Witherſpoon,
- Francis Hopkinſon,
- John Hart,
- Abraham Clark.

Pennſylvania,
- Robert Morris,
- Benjamin Ruſh,
- Benjamin Franklin,
- John Morton,
- George Clymer,
- James Smith,

Pennſylvania,
- George Taylor,
- James Wilſon,
- George Roſs.

Delaware,
- Cæſar Rodney,
- George Read.

Maryland,
- Samuel Chaſe,
- William Paca,
- Thomas Stone,
- Charles Carroll,
- of Carrollton.

Virginia,
- George Wythe,
- Richard Henry Lee,
- Thomas Jefferſon,
- Benjamin Harriſon,
- Thomas Nelſon, jun.
- Francis Lightfoot Lee,
- Carter Braxton.

North-Carolina,
- William Hooper,
- Joſeph Hewes,
- John Penn.

South-Carolina,
- Edward Rutledge,
- Thomas Heyward, jun.
- Thomas Lynch, jun.
- Arthur Middleton.

Georgia,
- Button Gwinnett,
- Lyman Hall,
- George Walton.

ARTICLES

ARTICLES of CONFEDERATION and PERPETUAL UNION

between the States of NEW-HAMPSHIRE, MASSACHUSETTS-BAY, RHODE-ISLAND and PROVIDENCE PLANTATIONS, CONNECTICUT, NEW-YORK, NEW-JERSEY, PENNSYLVANIA, DELAWARE, MARYLAND, VIRGINIA, NORTH-CAROLINA, SOUTH-CAROLINA and GEORGIA.

ART. 1. THE ſtyle of this Confederacy ſhall be "The United States of America."

ART. 2. Each ſtate retains its ſovereignty, freedom and independence, and every power, juriſdiction and right, which is not by this confederation expreſsly delegated to the United States in congreſs aſſembled.

ART. 3. The ſaid ſtates hereby ſeverally enter into a firm league of friendſhip with each other for their common defence, the ſecurity of their liberties, and their mutual and general welfare, binding themſelves to aſſiſt each other againſt all force offered to, or attacks made upon them, or any of them, on account of religion, ſovereignty, trade, or any other pretence whatever.

ART. 4. The better to ſecure and perpetuate mutual friendſhip and intercourſe among the people of the different ſtates, in this union, the free inhabitants of each of theſe ſtates, paupers, vagabonds and fugitives from juſtice excepted, ſhall be entitled to all privileges and immunities of free citizens in the ſeveral ſtates; and the people of each ſtate ſhall have free ingreſs and regreſs to and from any other ſtate, and ſhall enjoy therein all the privileges of trade and commerce, ſubject to the ſame duties, impoſitions and reſtrictions, as the inhabitants thereof reſpectively, provided that ſuch reſtrictions ſhall not extend ſo far as to prevent the removal of property imported into any ſtate to any other ſtate of which the owner is an inhabitant; provided alſo, that no impoſition, duties or reſtriction, ſhall be laid by any ſtate on the property of the United States, or either of them.

If any perſon guilty of, or charged with treaſon, felony, or other high miſdemeanor, in any ſtate ſhall flee from juſtice, and be found in any of the United States, he ſhall, upon demand of the governor or executive power of the ſtate from which he fled, be delivered up and removed to the ſtate having juriſdiction of his offence.

Full faith and credit ſhall be given in each of theſe ſtates to the records, acts and judicial proceedings, of the courts and magiſtrates of every other ſtate.

ART. 5. For the more convenient management of the general intereſts of the United States, delegates ſhall be annually appointed in ſuch manner as the legiſlature of each ſtate ſhall direct, to meet in congreſs on the firſt Monday in November, in every year, with a power reſerved to each ſtate, to recall its delegates, or any of them, at any time within the year, and to ſend others in their ſtead for the remainder of the year.

No ſtate ſhall be repreſented in congreſs by leſs than two, nor more than ſeven members; and no perſon ſhall be capable of being a delegate for more than three years in any term of ſix years; nor ſhall any perſon, being a delegate, be capable of holding any office under the United States, for which he, or any other for his benefit, receives any ſalary, fees or emolument, of any kind.

Each ſtate ſhall maintain its own delegates in a meeting of the ſtates, and while they act as members of the committee of the ſtates.

In determining queſtions in the United States in congreſs aſſembled, each ſtate ſhall have one vote.

Freedom of ſpeech and debate in congreſs ſhall not be impeached or queſtioned in any court or place out of congreſs, and the members of congreſs ſhall be protected in their perſons from arreſts and impriſonments, during the time of their going to and from, and attendance on congreſs, except for treaſon, felony, or breach of the peace.

ART. 6. No ſtate, without the conſent of the United States in congreſs aſſembled, ſhall ſend any embaſſy to, or receive any embaſſy from, or enter into any conference, agreement, alliance or treaty with, any king, prince or ſtate; nor ſhall any perſon holding any office of profit or truſt under the United States, or any of them, accept of any preſent, emolument, office or title, of any kind whatever, from any king, prince or foreign ſtate; nor ſhall the United States in congreſs aſſembled, or any of them, grant any title of nobility.

No two or more ſtates ſhall enter into any treaty, confederation or alliance whatever between them without the conſent of the United States in congreſs aſſembled, ſpecifying accurately the purpoſes for which the ſame is to be entered into, and how long it ſhall continue.

No ſtate ſhall lay any impoſts or duties which may interfere with any ſtipulations in treaties entered into by the United States in congreſs aſſembled, with any king, prince or ſtate, in purſuance of any treaties already propoſed by congreſs to the courts of France and Spain.

No veſſels of war ſhall be kept up in time of peace by any ſtate, except ſuch number only as ſhall be deemed neceſſary by the United States in congreſs aſſembled for the defence of ſuch ſtate, or its trade;

ade; nor ſhall any body of forces be kept up by any ſtate in time of peace, except ſuch number ly, as in the judgment of the United States in congreſs aſſembled, ſhall be deemed requiſite to gar- ſon the forts neceſſary for the defence of ſuch ſtate; but every ſtate ſhall always keep up a well re- lated and diſciplined militia, ſufficiently armed and accoutred, and ſhall provide and conſtantly ve ready for uſe, in public ſtores, a due number of field-pieces and tents, and a proper quantity of ms, ammunition and camp equipage.

No ſtate ſhall engage in any war without the conſent of the United States in congreſs aſſembled, leſs ſuch ſtate be actually invaded by enemies, or ſhall have received certain advice of a reſoluti- being formed by ſome nation of Indians to invade ſuch ſtate, and the danger is ſo imminent as not admit of a delay till the United States in congreſs aſſembled can be conſulted; nor ſhall any ſtate ant commiſſions to any ſhips or veſſels of war, nor letters of marque or repriſal, except it be after declaration of war by the United States in congreſs aſſembled, and then only againſt the kingdom ſtate, and the ſubjects thereof, againſt which war has been ſo declared, and under ſuch regulations ſhall be eſtabliſhed by the United States in congreſs aſſembled, unleſs ſuch ſtate be infeſted by pi- es, in which caſe veſſels of war may be fitted out for that occaſion, and kept ſo long as the danger ll continue, or until the United States in congreſs aſſembled ſhall determine otherwiſe.

ART. 7. When land forces are raiſed by any ſtate for the common defence, all officers of or under rank of colonel, ſhall be appointed by the legiſlature of each ſtate reſpectively, by whom ſuch ces ſhall be raiſed, or in ſuch manner as ſuch ſtate ſhall direct, and all vacancies ſhall be filled up the ſtate which firſt made the appointment.

ART. 8. All charges of war, and all other expences that ſhall be incurred for the common defence general welfare, and allowed by the United States in congreſs aſſembled, ſhall be defrayed out of ommon treaſury, which ſhall be ſupplied by the ſeveral ſtates in proportion to the value of all d within each ſtate, granted to or ſurveyed for any perſon, as ſuch land and the buildings and im- vements thereon ſhall be eſtimated, according to ſuch mode as the United States in congreſs aſ- bled ſhall from time to time direct and appoint. The taxes for paying that proportion ſhall be d and levied by the authority and direction of the legiſlatures of the ſeveral ſtates within the time eed upon by the United States in congreſs aſſembled.

ART. 9. The United States in congreſs aſſembled ſhall have the ſole and excluſive right and power determining on peace and war, except in the caſes mentioned in the ſixth article; of ſending and eiving ambaſſadors; entering into treaties and alliances, provided that no treaty of commerce ſhall made whereby the legiſlative power of the reſpective ſtates ſhall be reſtrained from impoſing ſuch oſts and duties on foreigners, as their own people are ſubjected to, or from prohibiting the expor- ion or importation of any ſpecies of goods or commodities whatſoever; of eſtabliſhing rules for iding in all caſes what captures on land or water ſhall be legal, and in what manner prizes taken land or naval forces in the ſervice of the United States ſhall be divided or appropriated; of grant- letters of marque and repriſal in times of peace; appointing courts for the trial of piracies and nies committed on the high ſeas, and eſtabliſhing courts for receiving and determining finally ap- ls in all caſes of captures, provided that no member of congreſs ſhall be appointed a judge of any the ſaid courts.

The United States in congreſs aſſembled ſhall alſo be the laſt reſort on appeal in all diſputes and erences now ſubſiſting, or that hereafter may ariſe, between two or more ſtates, concerning boun- y, juriſdiction, or any other cauſe whatever; which authority ſhall always be exerciſed in the nner following: Whenever the legiſlative or executive authority or lawful agent of any ſtate in con- verſy with another ſhall preſent a petition to congreſs, ſtating the matter in queſtion, and praying a hearing, notice thereof ſhall be given by order of congreſs to the legiſlative or executive autho- of the other ſtate in controverſy, and a day aſſigned for the appearance of the parties by their ful agents, who ſhall then be directed to appoint, by joint conſent, commiſſioners or judges to ſtitute a court for hearing and determining the matter in queſtion; but if they cannot agree, con- ſs ſhall name three perſons out of each of the United States, and from the liſt of ſuch perſons h party ſhall alternately ſtrike out one, the petitioners beginning, until the number ſhall be r duced thirteen; and from that number not leſs than ſeven, nor more than nine names, as congreſs ſhall ect, ſhall in the preſence of congreſs be drawn out by lot, and the perſons whoſe names ſhall be drawn, or any five of them, ſhall be commiſſioners or judges, to hear and finally determine the troverſy, ſo always as a major part of the judges who ſhall hear the cauſe ſhall agree in the deter- ation; and if either party ſhall neglect to attend at the day appointed, without ſhewing reaſons, ich congreſs ſhall judge ſufficient, or being preſent ſhall refuſe to ſtrike, the congreſs ſhall proceed nominate three perſons out of each ſtate, and the ſecretary of congreſs ſhall ſtrike in behalf of h party abſent or refuſing; and the judgment and ſentence of the court to be appointed, in the nner before preſcribed, ſhall be final and concluſive; and if any of the parties ſhall refuſe to ſubmit the authority of ſuch court, or to appear or defend their claim or cauſe, the court ſhall nevertheleſs

proceed to pronounce ſentence or judgment, which ſhall in like manner be final and deciſive; the judge ment or ſentence, and other proceedings, being in either caſe tranſmitted to congreſs, and lodge among the acts of congreſs for the ſecurity of the parties concerned; provided, that every commiſſioner before he ſits in judgment, ſhall take an oath, to be adminiſtered by one of the judges of the ſuprem or ſuperior court of the ſtate where the cauſe ſhall be tried, well and truly to hear and determine th matter in queſtion, according to the beſt of his judgment, without favour, affection or hope of reward provided alſo, that no ſtate ſhall be deprived of territory for the benefit of the United States.

All controverſies concerning the private right of ſoil claimed under different grants of two or mor ſtates, whoſe juriſdictions as they may reſpect ſuch lands, and the ſtates which paſſed ſuch grants ar adjuſted, the ſaid grants or either of them being at the ſame time claimed to have originated antece dent to ſuch ſettlement of juriſdiction, ſhall, on the petition of either party to the congreſs of th United States, be finally determined as near as may be in the manner as is before preſcribed for de ciding diſputes reſpecting territorial juriſdiction between different ſtates.

The United States in congreſs aſſembled ſhall alſo have the ſole and excluſive right and power o regulating the alloy and value of coin ſtruck by their own authority, or by that of the reſpecti ſtates; fixing the ſtandard of weights and meaſures throughout the United States; regulating th trade, and managing all affairs with the Indians, not members of any of the ſtates, provided th the legiſlative right of any ſtate within its own limits be not infringed or violated; eſtabliſhing an regulating poſt-offices from one ſtate to another, throughout all the United States, and exacting ſuc poſtage on the papers paſſing through the ſame as may be requiſite to defray the expences of the ſa office; appointing all officers of the land forces in the ſervice of the United States, excepting reg mental officers; appointing all the officers of the naval forces, and commiſſioning all officers what ver in the ſervice of the United States; making rules for the government and regulation of the ſa land and naval forces, and directing their operations.

The United States in congreſs aſſembled ſhall have authority to appoint a committee, to ſit in th receſs of congreſs, to be denominated "A Committee of the States," and to conſiſt of one delega from each ſtate; and to appoint ſuch other committees and civil officers as may be neceſſary fo managing the general affairs of the United States under their direction; to appoint one of the number to preſide, provided that no perſon be allowed to ſerve in the office of preſident more tha one year in any term of three years; to aſcertain the neceſſary ſums of money to be raiſed for th ſervice of the United States, and to appropriate and apply the ſame for defraying the public e pences; to borrow money or emit bills on the credit of the United States, tranſmitting every ha year to the reſpective ſtates an account of the ſums of money ſo borrowed or emitted; to build an equip a navy; to agree upon the number of land forces, and to make requiſitions from each ſtate fo its quota, in proportion to the number of white inhabitants in ſuch ſtate, which requiſition ſhall b binding, and thereupon the legiſlature of each ſtate ſhall appoint the regimental officers, raiſe th men, and cloath, arm, and equip them in a ſoldier like manner, at the expence of the United State and the officers and men ſo cloathed, armed and equipped, ſhall march to the place appointed, an within the time agreed on by the United States in congreſs aſſembled; but if the United States congreſs aſſembled ſhall, on conſideration of circumſtances, judge proper that any ſtate ſhould n raiſe men, or ſhould raiſe a ſmaller number than its quota, and that any other ſtate ſhould raiſe greater number of men than the quota thereof, ſuch extra number ſhall be raiſed, officered, cloathe armed and equipped in the ſame manner as the quota of ſuch ſtate, unleſs the legiſlature of ſu ſtate ſhall judge that ſuch extra number cannot be ſafely ſpared out of the ſame, in which caſe th ſhall raiſe, officer, cloath, arm and equip, as many of ſuch extra number as they judge can be ſa ly ſpared; and the officers and men ſo cloathed, armed and equipped, ſhall march to the pla appointed, and within the time agreed on by the United States in congreſs aſſembled.

The United States in congreſs aſſembled ſhall never engage in a war, nor grant letters of marq and repriſal, in time of peace, nor enter into any treaties or alliances, nor coin money, nor regula the value thereof, nor aſcertain the ſums and expences neceſſary for the defence and welfare of th Unite! States, or any of them, nor emit bills, nor borrow money on the credit of the United State nor appropriate money, nor agree upon the number of veſſels of war to be built or purchaſed, or th number of land or ſea forces to be raiſed, nor appoint a commander in chief of the army or navy, unl nine ſtates aſſent to the ſame; nor ſhall a queſtion on any other point, except for adjourning from d to day, be determined, unleſs by the votes of a majority of the United States in congreſs aſſemble

The congreſs of the United States ſhall have power to adjourn to any time within the year, a to any place within the United States, ſo that no period of adjournment be for a longer durati than the ſpace of ſix months, and ſhall publiſh the journal of their proceedings monthly, except ſu parts thereof relating to treaties, alliances or military operations, as in their judgment require ſ crecy; and the yeas and nays of the delegates of each ſtate on any queſtion ſhall be entered on t journal, when it is deſired by any delegate; and the delegates of a ſtate, or any of them, at his th

eir requeſt ſhall be furniſhed with a tranſcript of the ſaid journal, except ſuch parts as are above cepted, to lay before the legiſlatures of the ſeveral ſtates.

ART. 10. The committee of the ſtates, or any nine of them, ſhall be authoriſed to execute, in e receſs of congreſs, ſuch of the powers of congreſs as the United States in congreſs aſſembled, the conſent of nine ſtates, ſhall from time to time think expedient to veſt them with; provided t no power be delegated to the ſaid committee, for the exerciſe of which, by the articles of con-leration, the voice of nine ſtates, in the congreſs of the United States aſſembled, is requiſite.

ART. 11. Canada, acceding to this confederation, and joining in the meaſures of the United States, ll be admitted into, and entitled to all the advantages of, this union; but no other colony ſhall be mitted into the ſame, unleſs ſuch admiſſion be agreed to by nine ſtates.

ART. 12. All bills of credit emitted, monies borrowed, and debts contracted, by or under the thority of congreſs, before the aſſembling of the United States, in purſuance of the preſent con-leration, ſhall be deemed and conſidered as a charge againſt the United States, for payment and isfaction whereof the ſaid United States and the public faith are hereby ſolemnly pledged.

ART. 13. Every ſtate ſhall abide by the determinations of the United States in congreſs aſſembled, all queſtions which by this confederation are ſubmitted to them. And the articles of this con-leration ſhall be inviolably obſerved by every ſtate, and the union ſhall be perpetual; nor ſhall any eration at any time hereafter be made in any of them, unleſs ſuch alteration be agreed to in a greſs of the United States, and be afterwards confirmed by the legiſlatures of every ſtate.

AND, whereas it hath pleaſed the great Governor of the world to incline the hearts of the legiſla-es we reſpectively repreſent in congreſs to approve of, and to authoriſe us to ratify the ſaid arti- of confederation and perpetual union, KNOW YE, That we the underſigned delegates, by virtue the power and authority to us given for that purpoſe, do, by theſe preſents, in the name and in alf of our reſpective conſtituents, fully and entirely ratify and confirm each and every of the ſaid cles of confederation and perpetual union, and all and ſingular the matters and things therein tained. And we do further ſolemnly plight and engage the faith of our reſpective conſtituents, t they ſhall abide by the determinations of the United States in congreſs aſſembled, on all queſ-ns which by the ſaid confederation are ſubmitted to them; and that the articles thereof ſhall be iolably obſerved by the ſtates we reſpectively repreſent; and that the union ſhall be perpetual. WITNESS whereof, we have hereunto ſet our hands in congreſs.

DONE at Philadelphia, in the ſtate of Pennſylvania, the ninth day of July, in the year of our LORD, 1778, and in the third year of the independence of America.

New-Hampſhire, { Joſiah Bartlett, John Wentworth, jun.

Maſſachuſetts-Bay, { John Hancock, Samuel Adams, Elbridge Gerry, Francis Dana, James Lovell, Samuel Holton.

Rhode-Iſland, &c. { William Ellery, Henry Merchant, John Collins.

Connecticut, { Roger Sherman, Samuel Huntington, Oliver Wolcott, Titus Hoſmer, Andrew Adams.

New-York, { James Duane, Francis Lewis, William Duer, Governeur Morris.

New-Jerſey, { John Witherſpoon, Nathaniel Scudder.

Pennſylvania, { Robert Morris, Daniel Roberdeau,

Pennſylvania, { Jonathan Bayard Smith, William Clingan, Joſeph Reed.

Delaware, { Thomas M'Kean, John Dickinſon, Nicholas Vandyke.

Maryland, { John Hanſon, Daniel Carroll.

Virginia, { Richard Henry Lee, John Baniſter, Thomas Adams, John Harvey, Francis Lightfoot Lee.

North-Carolina, { John Penn, Cornelius Harnett, John Williams.

South-Carolina, { Henry Laurens, William Henry Drayton, John Matthews, Richard Hutſon, Thomas Heyward, jun.

Georgia, { John Walton, Edward Telfair, Edward Langworthy.

he aforeſaid articles of confederation were finally ratified on the firſt day of March, 1781, the ſtate of Maryland having, by members in congreſs, on that day acceded thereto, and completed the ſame.

THE

THE CONSTITUTION OF THE GENERAL GOVERNMENT
AND THE AMENDMENTS MADE THERETO.

THE CONSTITUTION.

WE, the people of the UNITED STATES, in order to form a more perfect union, eſtabliſh juſtic enſure domeſtic tranquillity, provide for the common defence, promote the general welfar and ſecure the bleſſings of liberty to ourſelves and our poſterity, DO ordain and eſtabliſh this Co STITUTION for the United States of AMERICA.

ARTICLE I.

SECTION 1. ALL legiſlative powers herein granted ſhall be veſted in a CONGRESS of the Unit States, which ſhall conſiſt of a Senate and Houſe of Repreſentatives.

SEC. 2. The houſe of repreſentatives ſhall be compoſed of members choſen every ſecond year the people of the ſeveral ſtates; and the electors in each ſtate ſhall have the qualifications requi for electors of the moſt numerous branch of the ſtate legiſlature.

No perſon ſhall be a repreſentative who ſhall not have attained to the age of twenty-five yea and been ſeven years a citizen of the United States, and who ſhall not, when elected, be an inha tant of that ſtate in which he ſhall be choſen.

Repreſentatives and direct taxes ſhall be apportioned among the ſeveral ſtates which may be i cluded within this union, according to their reſpective numbers, which ſhall be determined by a ing to the whole number of free perſons, including thoſe bound to ſervice for a term of years, a excluding Indians not taxed, three fifths of all other perſons. The actual enumeration ſhall be ma within three years after the firſt meeting of the congreſs of the United States, and within every ſu ſequent term of ten years, in ſuch manner as they ſhall by law direct. The number of repreſen tives ſhall not exceed one for every thirty thouſand, but each ſtate ſhall have at leaſt one repreſen tive; and until ſuch enumeration ſhall be made, the ſtate of New-Hampſhire ſhall be entitled chooſe three, Maſſachuſetts eight, Rhode-Iſland and Providence Plantations one, Connecticut fi New-York ſix, New-Jerſey four, Pennſylvania eight, Delaware one, Maryland ſix, Virginia te North-Carolina five, South-Carolina five, and Georgia three.

When vacancies happen in the repreſentation from any ſtate, the executive authority thereof ſh iſſue writs of election to fill ſuch vacancies.

The houſe of repreſentatives ſhall chooſe their ſpeaker and other officers, and ſhall have the ſo power of impeachment.

SEC. 3. The ſenate of the United States ſhall be compoſed of two ſenators from each ſtate, cho by the legiſlature thereof for ſix years, and each ſenator ſhall have one vote.

Immediately after they ſhall be aſſembled in conſequence of the firſt election, they ſhall be divi as equally as may be into three claſſes. The ſeats of the ſenators of the firſt claſs ſhall be vacat at the expiration of the ſecond year, of the ſecond claſs at the expiration of the fourth year, and the third claſs at the expiration of the ſixth year, ſo that one third may be choſen every ſecond ye and if vacancies happen by reſignation or otherwiſe during the receſs of the legiſlature of any ſta the executive thereof may make temporary appointments until the next meeting of the legiſlatur which ſhall then fill ſuch vacancies.

No perſon ſhall be a ſenator who ſhall not have attained to the age of thirty years, and been ni years a citizen of the United States, and who ſhall not, when elected, be an inhabitant of that ſta for which he ſhall be choſen.

The vice-preſident of the United States ſhall be preſident of the ſenate, but ſhall have no vote u leſs they be equally divided.

The ſenate ſhall chooſe their other officers, and alſo a preſident *pro tempore* in the abſence of t vice-preſident, or when he ſhall exerciſe the office of preſident of the United States.

The ſenate ſhall have the ſole power to try all impeachments: When ſitting for that purpoſe th ſhall be on oath or affirmation. When the preſident of the United States is tried, the chief juſti ſhall preſide; and no perſon ſhall be convicted without the concurrence of two thirds of the membe preſent.

Judgme

udgment in cafes of impeachment fhall not extend further than to removal from office, and dif-
ification to hold and enjoy any office of honour, truft or profit under the United States; but the
y convicted fhall nevertheleſs be liable and ſubject to indictment, trial, judgment and puniſhment,
rding to law.

EC. 4. The times, places and manner of holding elections for ſenators and repreſentatives ſhall
preſcribed in each ſtate by the legiſlature thereof; but the congreſs may at any time, by law,
e or alter ſuch regulations, except as to the places of chooſing ſenators.

he congreſs ſhall aſſemble at leaſt once in every year, and ſuch meeting ſhall be on the firſt Mon-
in December, unleſs they ſhall by law appoint a different day.

EC. 5. Each houſe ſhall be the judge of the elections, returns and qualifications of its own mem-
; and a majority of each ſhall conſtitute a quorum to do buſineſs; but a ſmaller number may ad-
n from day to day, and may be authoriſed to compel the attendance of abſent members in ſuch
ner and under ſuch penalties as each houſe may provide.

ach houſe may determine the rules of its proceedings, puniſh its members for diſorderly beha-
r, and, with the concurrence of two thirds, expel a member.

ach houſe ſhall keep a journal of its proceedings, and from time to time publiſh the ſame, except-
uch parts as may in their judgment require ſecrecy; and the yeas and nays of the members of
r houſe on any queſtion, ſhall, at the deſire of one fifth of thoſe preſent, be entered on the
al.

ither houſe during the ſeſſion of congreſs ſhall, without the conſent of the other, adjourn for
than three days, nor to any other place than that in which the two houſes ſhall be ſitting.

c. 6. The ſenators and repreſentatives ſhall receive a compenſation for their ſervices, to be aſ-
ined by law, and paid out of the treaſury of the United States. They ſhall in all caſes, except
on, felony and breach of the peace, be privileged from arreſt during their attendance at the ſeſ-
f their reſpective houſes, and in going to and returning from the ſame; and for any ſpeech or
e in either houſe they ſhall not be queſtioned in any other place.

o ſenator or repreſentative ſhall, during the time for which he was elected, be appointed to any
office under the authority of the United States, which ſhall have been created, or the emolu-
s whereof ſhall have been increaſed, during ſuch time; and no perſon holding any office under
United States ſhall be a member of either houſe during his continuance in office.

c. 7. All bills for raiſing revenue ſhall originate in the houſe of repreſentatives; but the ſenate
propoſe or concur with amendments as on other bills.

very bill which ſhall have paſſed the houſe of repreſentatives and the ſenate ſhall, before it be-
a law, be preſented to the preſident of the United States; if he approve, he ſhall ſign it; but
t, he ſhall return it, with his objections, to that houſe in which it ſhall have originated, who
enter the objections at large on their journal, and proceed to reconſider it. If after ſuch re-
deration two thirds of that houſe ſhall agree to paſs the bill, it ſhall be ſent, together with the
tions, to the other houſe, by which it ſhall likewiſe be reconſidered, and if approved by two
s of that houſe, it ſhall become a law; but in all ſuch caſes the votes of both houſes ſhall be
rmined by yeas and nays, and the names of the perſons voting for and againſt the bill ſhall be
ed on the journal of each houſe reſpectively. If any bill ſhall not be returned by the preſident
n ten days (Sundays excepted,) after it ſhall have been preſented to him, the ſame ſhall be a
in like manner as if he had ſigned it, unleſs the congreſs by their adjournment prevent its re-
in which caſe it ſhall not be a law.

very order, reſolution or vote to which the concurrence of the ſenate and houſe of repreſenta-
may be neceſſary, (except on a queſtion of adjournment) ſhall be preſented to the preſident of
United States, and before the ſame ſhall take effect, ſhall be approved by him, or being diſap-
ed by him, ſhall be repaſſed by two thirds of the ſenate and houſe of repreſentatives, according
e rules and limitations preſcribed in the caſe of a bill.

c. 8. The congreſs ſhall have power to lay and collect taxes, duties, impoſts and exciſes, to
he debts and provide for the common defence and general welfare of the United States; but
uties, impoſts and exciſes, ſhall be uniform throughout the United States;

o borrow money on the credit of the United States;

o regulate commerce with foreign nations, and among the ſeveral ſtates, and with the Indian
s;

o eſtabliſh an uniform rule of naturalization, and uniform laws on the ſubject of bankruptcies,
ghout the United States;

o coin money, regulate the value thereof, and of foreign coin, and fix the ſtandard of weights
meaſures;

o provide for the puniſhment of counterfeiting the ſecurities and current coin of the United
s;

To eſtabliſh poſt-offices and poſt roads;

To promote the progreſs of ſcience and uſeful arts, by ſecuring, for limitted times, to autho and inventors, the excluſive right to their reſpective writings and diſcoveries.

To conſtitute tribunals inferior to the ſupreme court; to define and puniſh piracies and felon committed on the high ſeas, and offences againſt the law of nations;

To declare war, grant letters of marque and repriſal, and make rules concerning captures on la or water;

To raiſe and ſupport armies, but no appropriation of money to that uſe ſhall be for a longer te than two years;

To provide and maintain a navy;

To make rules for the government and regulation of the land and naval forces;

To provide for calling forth the militia to execute the laws of the union, ſuppreſs inſurrectio and repel invaſions;

To provide for organizing, arming and diſciplining the militia, and for governing ſuch part them as may be employed in the ſervice of the United States, reſerving to the ſtates reſpective the appointment of the officers, and the authority of training the militia according to the diſcipli preſcribed by congreſs;

To exerciſe excluſive legiſlation, in all caſes whatſoever, over ſuch diſtrict (not exceeding ten mi ſquare) as may, by ceſſion of particular ſtates, and the acceptance of congreſs, become the ſeat the government of the United States, and to exerciſe like authority over all places purchaſed by t conſent of the legiſlature of the ſtate in which the ſame ſhall be, for the erection of forts, magazin arſenals, dock-yards, and other needful buildings; and

To make all laws which ſhall be neceſſary and proper for carrying into execution the forego powers, and all other powers veſted by this conſtitution in the government of the United States, in any department or officer thereof.

SEC. 9. The migration or importation of ſuch perſons as any of the ſtates now exiſting ſhall thi proper to admit, ſhall not be prohibited by the congreſs prior to the year one thouſand eight hund and eight, but a tax or duty may be impoſed on ſuch importation, not exceeding ten dollars for e perſon.

The privilege of the writ of *habeas corpus* ſhall not be ſuſpended, unleſs when in caſes of rebell or invaſion the public ſafety may require it.

No bill of attainder, or *ex poſt facto* law, ſhall be paſſed.

No capitation, or other direct tax, ſhall be laid, unleſs in proportion to the cenſus or enumerati herein before directed to be taken.

No tax or duty ſhall be laid on articles exported from any ſtate. No preference ſhall be given any regulation of commerce or revenue to the ports of one ſtate over thoſe of another; nor ſh veſſels bound to or from one ſtate be obliged to enter, clear or pay duties in another.

No money ſhall be drawn from the treaſury but in conſequence of appropriations made by la and a regular ſtatement and account of the receipts and expenditures of all public money ſhall publiſhed from time to time.

No title of nobility ſhall be granted by the United States; and no perſon holding any office profit or truſt under them, ſhall, without the conſent of the congreſs, accept of any preſent, emo ment, office or title of any kind whatever, from any king, prince or foreign ſtate.

SEC. 10. No ſtate ſhall enter into any treaty, alliance or confederation; grant letters of mar and repriſal; coin money; emit bills of credit; make any thing but gold and ſilver coin a tende payment of debts; paſs any bill of attainder, *ex poſt facto* law, or law impairing the obligation contracts, or grant any title of nobility.

No ſtate ſhall, without the conſent of the congreſs, lay any impoſts or duties on imports or expo except what may be abſolutely neceſſary for executing its inſpection laws; and the net produce o duties and impoſts laid by any ſtate on imports or exports ſhall be for the uſe of the treaſury the United States; and all ſuch laws ſhall be ſubject to the reviſion and control of the congr No ſtate ſhall, without the conſent of congreſs, lay any duty of tunnage, keep troops or ſhips of in time of peace, enter into any agreement or compact with another ſtate, or with a foreign po or engage in a war, unleſs actually invaded, or in ſuch imminent danger as will not admit of dela

ARTICLE II.

SECTION 1. The executive power ſhall be veſted in a preſident of the United States of Amer He ſhall hold his office during the term of four years, and, together with the vice-preſident, cho for the ſame term, be elected as follows:

Each ſtate ſhall appoint, in ſuch manner as the legiſlature thereof may direct, a number of elect equal to the whole number of ſenators and repreſentatives to which the ſtate may be entitled in

congr

ngreſs; but no ſenator or repreſentative, or perſon holding an office of truſt or profit under the nited States, ſhall be appointed an elector.

The electors ſhall meet in their reſpective ſtates, and vote by ballot for two perſons, of whom one leaſt ſhall not be an inhabitant of the ſame ſtate with themſelves. And they ſhall make a liſt of the perſons voted for, and of the number of votes for each; which liſt they ſhall ſign and certify, d tranſmit ſealed to the ſeat of the government of the United States, directed to the preſident of e ſenate. The preſident of the ſenate ſhall, in the preſence of the ſenate and houſe of repreſentives, open all the certificates, and the votes ſhall then be counted. The perſon having the greatnumber of votes ſhall be the preſident, if ſuch number be a majority of the whole number of ctors appointed; and if there be more than one who have ſuch majority, and have an equal numr of votes, then the houſe of repreſentatives ſhall immediately chooſe, by ballot, one of them for ſident; and if no perſon have a majority, then from the five higheſt on the liſt, the ſaid houſe ll, in like manner, chooſe the preſident. But in chooſing the preſident, the votes ſhall be en by ſtates, the repreſentation from each ſtate having one vote; a quorum for this purpoſe ll conſiſt of a member or members from two thirds of the ſtates, and a majority of all the ſtates ll be neceſſary to a choice. In every caſe, after the choice of the preſident, the perſon ving the greateſt number of votes of the electors ſhall be the vice-preſident. But if there ſhould nain two or more who have equal votes, the ſenate ſhall chooſe from them, by ballot, the vice-ſident.

The congreſs may determine the time of chooſing the electors, and the day on which they ſhall e their votes; which day ſhall be the ſame throughout the United States.

No perſon, except a natural born citizen, or a citizen of the United States at the time of the ption of this conſtitution, ſhall be eligible to the office of preſident; neither ſhall any perſon be ible to that office who ſhall not have attained to the age of thirty-five years, and been fourteen rs a reſident within the United States.

n caſe of the removal of the preſident from office, or of his death, reſignation, or inability to charge the powers and duties of the ſaid office, the ſame ſhall devolve on the vice-preſident, and congreſs may by law provide for the caſe of removal, death, reſignation or inability, both of the ſident and vice-preſident, declaring what officer ſhall then act as preſident, and ſuch officer ſhall accordingly until the diſability be removed, or a preſident ſhall be elected.

The preſident ſhall, at ſtated times, receive for his ſervices a compenſation, which ſhall neither increaſed or diminiſhed during the period for which he ſhall have been elected, and he ſhall not eive within that period any other emolument from the United States, or any of them.

Before he enter on the execution of his office, he ſhall take the following oath or affirmation:

" I do ſolemnly ſwear (or affirm) that I will faithfully execute the office of preſident of the United tes, and will, to the beſt of my ability, preſerve, protect and defend, the conſtitution of the ited States.

SEC. 2. The preſident ſhall be commander in chief of the army and navy of the United tes, and of the militia of the ſeveral ſtates, when called into the actual ſervice of the United tes; he may require the opinion, in writing, of the principal officer in each of the executive artments, upon any ſubject relating to the duties of the reſpective offices; and he ſhall have er to grant reprieves and pardons for offences againſt the United States, except in caſes of imchment.

He ſhall have power, by and with the advice and conſent of the ſenate, to make treaties, provided thirds of the ſenators preſent concur; and he ſhall nominate, and by and with the advice and ſent of the ſenate ſhall appoint, ambaſſadors, other public miniſters and conſuls, judges of the reme court, and all other officers of the United States whoſe appointments are not herein otherſe provided for, and which ſhall be eſtabliſhed by law; but the congreſs may by law veſt the apntment of ſuch inferior officers as they think proper in the preſident alone, in the courts of , or in the heads of departments.

The preſident ſhall have power to fill up all vacancies that may happen during the receſs of the ate, by granting commiſſions which ſhall expire at the end of their next ſeſſion.

SEC. 3. He ſhall, from time to time, give to the congreſs information of the ſtate of the union, recommend to their conſideration ſuch meaſures as he ſhall judge neceſſary and expedient; he y, on extraordinary occaſions, convene both houſes, or either of them, and in caſe of diſagreent between them with reſpect to the time of adjournment, he may adjourn them to ſuch time as ſhall think proper; he ſhall receive ambaſſadors and other public miniſters; he ſhall take care that laws be faithfully executed, and ſhall commiſſion all the officers of the United States.

SEC. 4. The preſident, vice-preſident, and all civil officers of the United States, ſhall be removed n office on impeachment for, and conviction of, treaſon, bribery, or other high crimes and miſdeanors.

ARTICLE III.

SECTION 1. The judicial power of the United States ſhall be veſted in one ſupreme court, and in ſuch inferior courts as the congreſs may, from time to time, ordain and eſtabliſh. The judges, both of the ſupreme and inferior courts, ſhall hold their offices during good behaviour, and ſhall, at ſtated times, receive for their ſervices a compenſation, which ſhall not be diminiſhed during their continuance in office.

SEC. 2. The judicial power ſhall extend to all caſes in law and equity ariſing under this conſtitution, the laws of the United States, and treaties made, or which ſhall be made, under their authority; to all caſes affecting ambaſſadors, other public miniſters and conſuls; to all caſes of admiralty and maritime juriſdiction; to controverſies to which the United States ſhall be a party; to controverſies between two or more ſtates, between a ſtate and citizens of another ſtate, between citizens of different ſtates, between citizens of the ſame ſtate claiming lands under grants of different ſtates, and between a ſtate, or the citizens thereof, and foreign ſtates, citizens or ſubjects.

In all caſes affecting ambaſſadors, other public miniſters and conſuls, and thoſe in which a ſtate ſhall be party, the ſupreme court ſhall have original juriſdiction. In all the other caſes before mentioned the ſupreme court ſhall have appellate juriſdiction both as to law and fact, with ſuch exceptions and under ſuch regulations as the congreſs ſhall make.

The trial of all crimes, except in caſes of impeachment, ſhall be by jury; and ſuch trial ſhall be held in the ſtate where the ſaid crimes ſhall have been committed; but when not committed within any ſtate, the trial ſhall be at ſuch place or places as the congreſs may by law have directed.

SEC. 3. Treaſon againſt the United States ſhall conſiſt only in levying war againſt them, or in adhering to their enemies, giving them aid and comfort. No perſon ſhall be convicted of treaſon unleſs on the teſtimony of two witneſſes to the ſame overt act, or on confeſſion in open court.

The congreſs ſhall have power to declare the puniſhment of treaſon, but no attainder of treaſon ſhall work corruption of blood, or forfeiture, except during the life of the perſon attainted.

ARTICLE IV.

SEC. 1. Full faith and credit ſhall be given in each ſtate to the public acts, records and judicial proceedings of every other ſtate; and the congreſs may, by general laws, preſcribe the manner in which ſuch acts, records and proceedings ſhall be proved, and the effect thereof.

SEC. 2. The citizens of each ſtate ſhall be entitled to all privileges and immunities of citizens in the ſeveral ſtates.

A perſon charged in any ſtate with treaſon, felony, or other crime, who ſhall flee from juſtice, and be found in another ſtate, ſhall, on demand of the executive authority of the ſtate from which he fled, be delivered up, to be removed to the ſtate having juriſdiction of the crime.

No perſon held to ſervice or labour in one ſtate, under the laws thereof, eſcaping into another, ſhall, in conſequence of any law or regulation therein, be diſcharged from ſuch ſervice or labour, but ſhall be delivered up on claim of the party to whom ſuch ſervice or labour may be due.

SEC. 3. New ſtates may be admitted by the congreſs into this union; but no new ſtate ſhall be formed or erected within the juriſdiction of any other ſtate; nor any ſtate be formed by the junction of two or more ſtates, or parts of ſtates, without the conſent of the legiſlatures of the ſtates concerned as well as of the congreſs.

The congreſs ſhall have power to diſpoſe of, and make all needful rules and regulations reſpecting the territory or other property belonging to the United States; and nothing in this conſtitution ſhall be ſo conſtrued as to prejudice any claims of the United States, or of any particular ſtate.

SEC. 4. The United States ſhall guaranty to every ſtate in this union a republican form of government, and ſhall protect each of them againſt invaſion; and on application of the legiſlature, or of the executive, (when the legiſlature cannot be convened,) againſt domeſtic violence.

ARTICLE V.

The congreſs, whenever two thirds of both houſes ſhall deem it neceſſary, ſhall propoſe amendments to this conſtitution, or, on the application of the legiſlatures of two thirds of the ſeveral ſtates, ſhall call a convention for propoſing amendments, which, in either caſe, ſhall be valid to all intents and purpoſes as part of this conſtitution, when ratified by the legiſlatures of three fourths of the ſeveral ſtates, or by conventions in three fourths thereof, as the one or the other mode of ratification may be propoſed by the congreſs; provided, that no amendment which may be made prior to the year one thouſand eight hundred and eight, ſhall in any manner affect the firſt and fourth clauſes in the ninth ſection of the firſt article; and that no ſtate, without its conſent, ſhall be deprived of its equal ſuffrage in the ſenate.

ARTICLE VI.

ll debts contracted and engagements entered into before the adoption of this conſtitution ſhall be alid againſt the United States under this conſtitution as under the confederation.

his conſtitution, and the laws of the United States which ſhall be made in purſuance thereof, all treaties made, or which ſhall be made, under the authority of the United States, ſhall be the eme law of the land, and the judges in every ſtate ſhall be bound thereby, any thing in the con- tion or laws of any ſtate to the contrary notwithſtanding.

he ſenators and repreſentatives before mentioned, and the members of the ſeveral ſtate legiſla- s, and all executive and judicial officers, both of the United States and of the ſeveral ſtates, be bound by oath or affirmation to ſupport this conſtitution; but no religious teſt ſhall ever be ired as a qualification to any office or public truſt under the United States.

ARTICLE VII.

he ratification of the conventions of nine ſtates ſhall be ſufficient for the eſtabliſhment of this itution between the ſtates ſo ratifying the ſame.

ONE in Convention, by the unanimous conſent of the ſtates preſent, the ſeventeenth day of Sep- tember, in the year of our LORD one thouſand ſeven hundred and eighty-ſeven, and of the In- dependence of the United States of America the twelfth. IN WITNESS whereof we have here- unto ſubſcribed our names.

GEORGE WASHINGTON, preſident,
And deputy from Virginia.

ew-Hampſhire,	John Langdon, Nicholas Gilman.
aſſachuſetts,	Nathaniel Gorham, Rufus King.
onnecticut,	William Samuel Johnſon, Roger Sherman.
ew-York,	Alexander Hamilton.
ew-Jerſey,	William Livingſton, David Brearley, William Patterſon, Jonathan Dayton.
ennſylvania,	Benjamin Franklin, Thomas Mifflin, Robert Morris, George Clymer, Thomas Fitzſimons, Jared Ingerſoll, James Wilſon, Gouverneur Morris.
Delaware,	George Read, Gunning Bedford, jun. John Dickinſon, Richard Baſſett, Jacob Broom.
Maryland,	James M'Henry, Daniel of St. Tho. Jenifer, Daniel Carroll.
Virginia,	John Blair, James Madiſon, jun.
North-Carolina,	William Blount, Richard Dobbs Spaight, Hugh Williamſon.
South-Carolina,	John Rutledge, Charles C. Pinckney, Charles Pinckney, Pierce Butler.
Georgia,	William Few, Abraham Baldwin.

Atteſt. WILLIAM JACKSON, ſecretary.

AMENDMENTS.

ARTICLE THE FIRST.

ONGRESS ſhall make no law reſpecting an eſtabliſhment of religion, or prohibiting the free ex- erciſe thereof; or abridging the freedom of ſpeech, or of the preſs; or the right of the people eably to aſſemble, and to petition the government for a redreſs of grievances.

ARTICLE

AMENDMENTS.

ARTICLE THE SECOND.

A well regulated militia being neceſſary to the ſecurity of a free ſtate, the right of the people keep and bear arms ſhall not be infringed.

ARTICLE THE THIRD.

No ſoldier ſhall, in time of peace, be quartered in any houſe without the conſent of the owne nor in time of war but in a manner to be preſcribed by law.

ARTICLE THE FOURTH.

The right of the people to be ſecure in their perſons, houſes, papers and effects, againſt unreaſo able ſearches and ſeizures, ſhall not be violated, and no warrants ſhall iſſue but upon probable cau ſupported by oath or affirmation, and particularly deſcribing the place to be ſearched, and the p ſons or things to be ſeized.

ARTICLE THE FIFTH.

No perſon ſhall be held to anſwer for a capital or otherwiſe infamous crime, unleſs on a preſe ment or indictment of a grand jury, except in caſes ariſing in the land or naval forces, or in t militia when in actual ſervice in time of war or public danger; nor ſhall any perſon be ſubject the ſame offence to be twice put in jeopardy of life or limb; nor ſhall be compelled, in any crimi caſe, to be witneſs againſt himſelf, nor be deprived of life, liberty or property, without due proc of law; nor ſhall private property be taken for public uſe without juſt compenſation.

ARTICLE THE SIXTH.

In all criminal proſecutions the accuſed ſhall enjoy the right to a ſpeedy and public trial, by impartial jury of the ſtate and diſtrict wherein the crime ſhall have been committed, which diſt ſhall have been previouſly aſcertained by law, and to be informed of the nature and cauſe of the cuſation; to be confronted with the witneſſes againſt him; to have compulſory proceſs for obtain witneſſes in his favour, and to have the aſſiſtance of counſel for his defence.

ARTICLE THE SEVENTH.

In ſuits at common law, where the value in controverſy ſhall exceed twenty dollars, the right trial by jury ſhall be preſerved, and no fact, tried by a jury, ſhall be otherwiſe re-examined in court of the United States than according to the rules of the common law.

ARTICLE THE EIGHTH.

Exceſſive bail ſhall not be required, nor exceſſive fines impoſed, nor cruel and unuſual puniſhme inflicted.

ARTICLE THE NINTH.

The enumeration in the conſtitution of certain rights ſhall not be conſtrued to deny or diſpar others retained by the people.

ARTICLE THE TENTH.

The powers not delegated to the United States by the conſtitution, nor prohibited by it to ſtates, are reſerved to the ſtates reſpectively, or to the people.

ARTICLE THE ELEVENTH.

The judicial power of the United States ſhall not be conſtrued to extend to any ſuit in law equity, commenced or proſecuted againſt one of the United States by citizens of another ſtate, by citizens or ſubjects of any foreign ſtate.

t an ASSEMBLY, held at the CITY of SAINT-MARY's on the tenth day of May, *anno domini* 1692, and in the 4th year of the reign of our Sovereign Lord and Lady WILLIAM and MARY, by the Grace of GOD, of England, Scotland, France and Ireland, King and Queen, &c. and ended the ninth day of June following, theſe acts following were made.

LYONEL COPLEY, ESQUIRE, GOVERNOR.

CHAP. I.

N ACT of Recognition. Lib. LL. fol. 1. Lib. WH and L. fol. 1. and Lib. LL. No. 2. fol. 2. Paſſed 9th of June, 1692.

CHAP. II.

ACT for the ſervice of Almighty God, and the eſtabliſhment of the proteſtant religion in this ovince. Lib. LL. fol. 1. Lib. WH and L. fol. 1. and Lib. LL. No. 2. fol. 2. Repealed 96, ch. 18.

CHAP. III.

ACT for the better adminiſtration of juſtice in probat of wills, granting adminiſtrations, re-vering of legacies, and ſecuring filial portions. Lib. LL. fol. 10. and Lib. WH and L. fol. . Repealed 1700, ch. 8.

CHAP. IV.

ACT for ſettlement of an annual revenue upon their majeſties governor within this province r the time being. Lib. LL. fol. 21. Lib. WH and L. fol. 117. and Lib. LL. No. 2. fol. 30. epealed 1704, ch. 77.

CHAP. V.

ACT againſt divulgers of falſe news. Lib. LL. fol. 24. and Lib. WH and L. fol. 140. Re-aled 1700, ch. 8.

CHAP. VI.

ACT for naturalization. Lib. LL. fol. 46. and Lib. WH and L. fol. 141.

CHAP. VII.

upplementary act to the act for ſettlement of an annual revenue upon their majeſties governor ithin this province for the time being. Lib. LL. fol. 27. and Lib. WH and L. fol. 142.

CHAP. VIII.

ACT for ſecuring the rights of ſeveral perſons. Lib. LL. fol. 28. Lib. WH and L. fol. 12. d Lib. LL. No. 2. fol. 6. Repealed 1704, ch. 77, but the rights acquired under it ſaved.

CHAP. IX.

ACT for appeals, and regulating writs of error. Lib. LL. fol. 32. and Lib. WH and L. . 18. Repealed 1694, ch. 18.

CHAP. X.

ACT for the eaſement of the inhabitants of this province in ſuits at law for ſmall debts. Lib. L. fol. 37. and Lib. WH and L. fol. 84. Repealed 1700, ch. 8.

CHAP. XI.

Passed 9th of June, 1692.

An ACT for the due recording of all the laws of this province in the secretary's office. Lib. L fol. 39. and Lib. WH and L. fol. 69.

CHAP. XII.

An ACT ascertaining what damages shall be allowed upon protested bills of exchange. Lib. L fol. 40. and Lib. WH and L. fol. 85.

To be in force three years, or to the end of the next session. Continued 1694, ch. 16. and 1695, ch. 16 and 26. Expired.

CHAP. XIII.

An ACT for quieting of possessions. Lib. LL. fol. 41. Lib. WH and L. fol. 70. and Lib. L No. 2. fol. 44. Repealed 1704, ch. 77.

CHAP. XIV.

An ACT for the publication of marriages. Lib. LL. fol. 43. Lib. WH and L. fol. 71. and L LL. No. 2. fol. 49. Repealed 1704, ch. 77.

CHAP. XV.

An ACT relating to servants and slaves. Lib. LL. fol. 45. and Lib. WH and L. fol. 91. R pealed 1700, ch. 8.

CHAP. XVI.

An ACT for punishment of persons suborning of witnesses, or com mitting wilful and corrupt perjury. Lib. LL. fol. 55. Lib. W and L. fol. 115. and Lib. LL. No. 2. fol. 27.

N. B. This law is declared to remain and be in full force by 1705, ch. 8.

Preamble.

WHEREAS several persons, void of grace, and the dread of the Almighty, have, and do continue, for small profits accruing to themselves, to commit wilful and corrupt perjury, cause or procure the same to be committed, either out of a design for the reasons and purposes afo said, or merely to revenge an imaginary injury done them, to the great prejudice of divers of th majesties loyal subjects, inhabiting within this province: And forasmuch as the laws for this provi heretofore made, for the prevention of the like mischiefs and inconveniencies, have, upon a mat and deliberate consideration, by this present general assembly, been found altogether inconsist with the constitution of this province, or the laws of England, in such cases made and provided:

Penalty for corrupting witnesses, &c.

II. BE IT THEREFORE ENACTED, *by the King and Queen's most excellent majesties, by and with advice and consent of this present General Assembly, and the authority of the same*, That if any person persons whatsoever, from and after the publication hereof, shall unlawfully or corruptly procure witness or witnesses, by letters, rewards, promises, or by any other sinister, unlawful labour means whatsoever, to commit any wilful and corrupt perjury, in any matter or cause whatsoe now depending, or which hereafter shall depend in suit and variance, by any writ, action, bill, c plaint or information, in anywise touching or concerning any lands, tenements or hereditaments, any goods, chattels, debts or damages, in any of the courts of record within this province, or t shall unlawfully and corruptly procure or suborn any witness or witnesses, from and after the pu cation aforesaid, to be sworn to testify *in perpetuam rei memoriam*; that then every such offende offenders shall, for his or their said offence, being thereof lawfully convicted or attainted, lose forfeit the sum of forty pounds sterling. And if it happen any such offender or offenders, so be convicted or attainted as aforesaid, shall not have goods, chattels, lands or tenements, to the v of forty pounds as aforesaid, then every such person or persons, so being convicted or attainte aforesaid, shall, for his or their said offence, suffer imprisonment, for and during the space of whole year, without bail or mainprise, and stand upon the pillory one whole hour, at the pil next adjoining the place where he, she or they, shall be convicted as aforesaid.

No person to be received as a witness, &c.

III. AND BE IT FURTHER ENACTED, *by the authority aforesaid*, That no person or persons, b convict or attaint as aforesaid, shall be from thenceforth received as a witness, to be depose sworn in any court of record within this province, until such time as the judgment given against said person or persons be reversed, by attaint or otherwise. And that, upon every such rever the parties grieved to recover his, her or their damages, against all and every such person or

, as did procure the ſaid judgment ſo reverſed to be given againſt them, or any of them, by on or actions upon his, her or their caſe or caſes, according to the common courſe of the laws his province. CHAP. XVI.

V. AND BE IT FURTHER ENACTED, *by the authority aforeſaid*, That if any perſon or perſons, after publication hereof, either by ſubornation, unlawful procurement, ſiniſter perſuaſion, or means ny other, or by their own act, conſent or agreement, wilfully and corruptly, commit any man- of wilful perjury, by their depoſition in any court of record in this province, as aforeſaid, or g examined *in perpetuam rei memoriam*; that then every perſon and perſons ſo offending, and being reof duly convicted or attainted by the laws of this province. ſhall, for his or their ſaid offence, and forfeit twenty pounds ſterling, and ſuffer impriſonment the ſpace of ſix months, without or mainprize; and the oath of ſuch perſon or perſons ſo offending, from thenceforth not to be ived within any court of record within this province, until ſuch time as the judgment given nſt the ſaid perſon or perſons ſhall be reverſed, by attaint, or otherwiſe, as aforeſaid; and that, n every ſuch reverſal, the parties grieved to recover their damages as aforeſaid. And if it hap- that the ſaid offender or offenders, ſo offending, ſhall not have goods and chattels to the value wenty pounds, that then he, ſhe or they, be ſet on the pillory next adjoining to the place where ſhe or they ſhall be convict, as aforeſaid, and to have both ears nailed, and be from thenceforth e diſcredited and diſabled for ever to be ſworn in any of the courts of record aforeſaid, until time the ſaid judgment be reverſed; upon which he, ſhe or they, ſhall recover his, her or their ages, in manner and form as is before mentioned; the one moiety of all the ſaid fines and for- res, to be to our ſovereign lord and lady, the king and queen, for the ſupport of government; the other moiety to ſuch perſon or perſons as ſhall be grieved, hindered or moleſted by reaſon ny the offence or offences before mentioned, that will ſue for the ſame, by action of debt, bill, t or information, or otherwiſe, in any court of record within this province, wherein no eſſoin, ection, or wager of law, ſhall be allowed. Penalty on perſons guilty of perjury, &c.

. AND BE IT FURTHER ENACTED, *by the authority aforeſaid*, That if any perſon or perſons, n whom any proceſs out of any the courts of record within this province ſhall be ſerved, to teſti- r depoſe concerning any cauſe or matter depending in any of the ſame courts, relating to the niſes, and having tendered unto him or them, according to their ſtate or calling, ſuch reaſonable s of money or tobacco, for his or their coſts and charges, as having regard to the diſtance of the e, in that behalf is neceſſary to be allowed, do not appear, according to the tenor of the ſaid ceſs, having not a lawful reaſonable let or impediment to the contrary, that then the party or ties, ſo making default, ſhall forfeit and loſe, for every ſuch offence, ten pounds ſterling, and to d to the party grieved ſuch further recompence as by the diſcretion of the judge of that court of which the ſaid proceſs ſhall be awarded, according to the loſs and hinderance that the party ch procured the ſaid proceſs ſhall ſuſtain by the reaſon of the non-appearance of the ſaid witneſs witneſſes; the ſaid ſeveral ſums to be recovered by the party ſo grieved againſt the offender or nders, by action of debt, bill, plaint or information, in any of their majeſties courts of record in province, wherein no eſſoin, protection or wager of law to be allowed. And on witneſſes for not attending, &c.

CHAP. XVII.

ACT for the fourteen pence tonnage. Lib. LL. fol. 60. and Lib. WH and L. fol. 67. Diſſent. Paſſed 9th of June, 1692.

CHAP. XVIII.

ACT aſcertaining the expences of the commiſſioners of the provincial and county courts. Lib. L. fol. 60. and Lib. WH and L. fol. 120. Repealed 1694, ch. 7.

CHAP. XIX.

ACT for taking away all errors in proceedings at law and equity, and in the court for probat of ills, occaſioned by the late revolution. Lib. LL. fol. 64. Lib. WH and L. fol. 79. and Lib. L. No. 2. fol. 12.

CHAP. XX.

ACT for ſettling naval officers fees within this province. Lib. LL. fol. 66. and Lib. WH and . fol. 66.

CHAP. XXI.

ACT enabling one burgeſs out of each county to lay the public levy of this province for this reſent year. Lib. LL. fol. 69.

CHAP. XXII.

Paſſed 9th of June, 1692. An ACT for the impoſition of four-pence per gallon on liquor imported into this province. Lib. LL. fol. 70. and Lib. WH and L. fol. 143. Repealed 1694, ch. 19.

CHAP. XXIII.

An ACT appointing Peter Pagan, merchant, to be agent for their majeſties province of Maryland. Lib. LL. fol. 72. and Lib. WH and L. fol. 145. Repealed 1694, ch. 17.

CHAP. XXIV.

An ACT for the publication of all laws within this province. Lib. LL. fol. 73. Lib. WH and L. fol. 34. and Lib. LL. No. 2. fol. 11. Repealed 1704, ch. 77.

CHAP. XXV.

An ACT for the election of ſheriffs. Lib. LL. fol. 75. and Lib. WH and L. fol. 35. Repealed 1700, ch. 8.

CHAP. XXVI.

An ACT for ſecuring merchants and others tobacco, after they have received it. Lib. LL. fol. 7[illegible] and Lib. WH and L. fol. 31.

For three years, or to the end of the next ſeſſion. Continued 1694, ch. 16. and 1695, ch. 16 and 26. Expired.

CHAP. XXVII.

An ACT empowering the commiſſioners of the county courts to levy and raiſe monies to defray the neceſſary charges of their counties. Lib. LL. fol. 79. and Lib. WH and L. fol. 33. Repealed 1700, ch. 8.

CHAP. XXVIII.

An ACT declaring what ſhall be done by the ſheriffs *ex officio*. Lib. LL. fol. 80. and Lib. WH and L. fol. 29.

For three years, or to the end of the next ſeſſion of aſſembly. Continued 1694, ch. 16. and 1695, ch. 16 and 26. Expired.

CHAP. XXIX.

An ACT concerning the height of fences. Lib. LL. fol. 82. and Lib. WH and L. fol. 30. Repealed 1700, ch. 8.

CHAP. XXX.

An ACT for the enrolment of conveyances, and ſecuring the eſtates of purchaſers. Lib. LL. fol. 83. and Lib. WH and L. fol. 59. Repealed 1700, ch. 8.

N. B. This act is approved by the act of 1715, ch. 47, and all conveyances made under it are thereby confirmed. Sect. 5.

CHAP. XXXI.

An ACT prohibiting arreſts upon ſabbath days, and days of general muſter and training. Lib. LL. fol. 88. and Lib. WH and L. fol. 62. Repealed 1700, ch. 8.

CHAP. XXXII.

An ACT againſt hog ſtealers, and marking of hogs. Lib. LL. fol. 90. and Lib. WH and L. fol. 64. Repealed 1700, ch. 8.

CHAP. XXXIII.

An ACT prohibiting trade with the Indians for any fleſh dead or alive, except deer or wild fowl. Lib. LL. fol. 94. and Lib. WH and L. fol. 16.

For three years, or to the end of the next ſeſſion. Continued 1694, ch. 16. and 1695, ch. 16 and 26. Expired.

CHAP. XXXIV.

An ACT for the more ſpeedy bringing to trial, and ſuppreſſing criminals, and limitting their puniſhments for certain offences, when proſecuted in the county courts. Lib. LL. fol. 95. and Lib. WH and L. fol. 17.

For three years, or to the end of the next ſeſſion. Continued 1694, ch. 16. and 1695, ch. 16 and 26. Expired.

CHAP. XXXV.

An ACT for limitation of certain actions for avoiding ſuits at law. Lib. LL. fol. 98. Lib. WH and L. fol. 14. and Lib. LL. No. 2. fol. 8. Repealed 1704, ch. 77.

CHAP

CHAP. XXXVI.

ACT concerning proceedings at law. Lib. LL. fol. 101. and Lib. WH and L. fol. 16. Repealed 1700, ch. 8. Passed 9th of June, 1692.

CHAP. XXXVII.

ACT prohibiting commiſſioners, ſheriffs, clerks and deputy-clerks, to plead as attornies in their reſpective county courts. Lib. LL. fol. 101. Lib. WH and L. fol. 16. and Lib. LL. No. 2. fol. 45. Repealed 1704, ch. 77.

CHAP. XXXVIII.

ACT relating to the ſeizure of tobacco by the ſheriff. Lib. LL. fol. 102. and Lib. WH and L. fol. 48. Repealed 1700, ch. 8.

CHAP. XXXIX.

ACT for marking highways, and making the heads of rivers, creeks, branches or ſwamps, paſſable for horſe and foot. Lib. LL. fol. 106. and Lib. WH and L. fol. 50.

CHAP. XL.

ACT againſt burners of fences. Lib. LL. fol. 108. and Lib. WH and L. fol. 48. Repealed 1700, ch. 8.

CHAP. XLI.

ACT for the preſervation of the ſeveral harbours within this province. Lib. LL. fol. 109. Lib. WH and L. fol. 120. and Lib. LL. No. 2. fol. 33. Repealed 1704, ch. 77.

CHAP. XLII.

ACT for regulating ordinaries, and limitting the number of them within this province. Lib. LL. fol. 111. and Lib. WH and L. fol. 26. Diſſent.

CHAP. XLIII.

ACT for the ſettling of a ſtandard with Engliſh weights and meaſures within the ſeveral and reſpective counties in this province. Lib. LL. fol. 117. Lib. WH and L. fol. 127. and Lib. LL. No. 2. fol. 35. Repealed 1704, ch. 77.

CHAP. XLIV.

ACT for the advancement of coins. Lib. LL. fol. 120. and Lib. WH and L. fol. 129. Repealed 1694, ch. 17.

CHAP. XLV.

ACT againſt the exportation of wool and old iron. Lib. LL. fol. 124. and Lib. WH and L. fol. 124.

For three years, or to the end of the next ſeſſion. Continued 1694, ch. 16. and 1695, ch. 16 and 26. Expired.

CHAP. XLVI.

ACT reſtraining the exportation of leather and raw hides, deer and elk ſkins, out of this province, for the encouragement of tanners and ſhoemakers. Lib. LL. fol. 125. and Lib. WH and L. fol. 122.

For three years, or to the end of the next ſeſſion. Continued 1694, ch. 16. and 1695, ch. 16. Expired.

CHAP. XLVII.

ACT for the preſervation of orphans real eſtates. Lib. LL. fol. 129. and Lib. WH and L. fol. 122. Repealed 1700, ch. 8.

CHAP. XLVIII.

ACT concerning what ſhall be allowed to the grand juries that are ſummoned out of the body of the province to attend provincial courts. Lib. LL. fol. 134. and Lib. WH and L. fol. 7. Repealed 1700, ch. 8.

CHAP. XLIX.

ACT concerning thoſe ſervants that have baſtards. Lib. LL. fol. 135. and Lib. WH and L. fol. 7. Repealed 1694, ch. 26.

CHAP. L.

ACT providing what ſhall be good evidence to prove foreign debts. Lib. LL. fol. 136. Lib. WH and L. fol. 8. and Lib. LL. No. 2. fol. 2. Repealed 1704, ch. 77.

CHAP.

CHAP. LI.

Passed 9th of June, 1692.

An ACT prohibiting all masters of ships or vessels, or any other person, from transporting or co veying away any person or persons out of this province without passes. Lib. LL. fol. 140. a Lib. WH and L. fol. 10. Repealed 1694, ch. 17.

CHAP. LII.

An ACT for encouragement of the importation of negroes and slaves into this province. Lib. L fol. 142. Lib. WH and L. fol. 11. and Lib. LL. No. 2. fol. 5. Repealed 1704, ch. 77.

CHAP. LIII.

An ACT for limitation of officers fees. Lib. LL. fol. 144. and Lib. WH and L. fol. 40.

For three years, or to the end of the next session. Continued 1694, ch. 16. and 1695, ch. 16 and 26. Expired.

CHAP. LIV.

An ACT for limitting the county clerks fees within this province. Lib. LL. fol. 154. and L WH and L. fol. 46.

For three years, or to the end of the next session. Continued 1694, ch. 16. and 1695, ch. 16 and 26. Expired.

CHAP. LV.

An ACT for amerciaments in the provincial and county courts. Lib. LL. fol. 157. and Lib. W and L. fol. 111.

For three years, &c. Continued 1694, ch. 16. and 1695, ch. 16 and 26. Expired.

CHAP. LVI.

An ACT for appointing coroners in each respective county. Lib. LL. fol. 158. Lib. WH and fol. 111. and Lib. LL. No. 2. fol. 22. Repealed 1704, ch. 77.

CHAP. LVII.

An ACT for the appointment of certain officers. Lib. LL. fol. 159. Lib. WH and L. fol. and Lib. LL. No. 2. fol. 21. Repealed 1704, ch. 77.

CHAP. LVIII.

An ACT imposing a penalty on all such who shall dispose of tobacco seized and received by sheriffs and others. Lib. LL. fol. 164. Lib. WH and L. fol. 107. and Lib. LL. No. 2. fol. Repealed 1704, ch. 77.

CHAP. LIX.

An ACT for stay of executions after April court. Lib. LL. fol. 166. and Lib. WH and L. 107. Repealed 1700, ch. 8.

CHAP. LX.

An ACT for the killing of wolves. Lib. LL. fol. 168. and Lib. WH and L. fol. 108. Repeal 1700, ch. 8.

CHAP. LXI.

An ACT for the better administration of justice in the county courts of this province. Lib. L fol. 170. and Lib. WH and L. fol. 109.

For three years, or to the end of the next session. Continued 1694, ch. 16. and 1695, ch. 16. Expired.

CHAP. LXII.

An ACT limitting the extent of attachments, and providing what shall be levied on attachme and executions. Lib. LL. fol. 172. Lib. WH and L. fol. 103. and Lib. LL. No. 2. fol. Repealed 1704, ch. 77.

CHAP. LXIII.

An ACT concerning Indians. Lib. LL. fol. 178. Lib. WH and L. fol. 90. and Lib. LL. No. fol. 16. Repealed 1704, ch. 77.

CHAP. LXIV.

An ACT against engrossers and regrators. Lib. LL. fol. 179. Lib. WH and L. fol 80. and L LL. No. 2. fol. 14. Repealed 1704, ch. 77.

CHAP. LXV.

An ACT appointing court days in each respective county within this province. Lib. LL. fol. Lib. WH and L. fol. 83. and Lib. LL. No. 2. fol. 47.

CHA

CHAP. LXVI.

ACT for keeping a regiſter of births, marriages and burials, in each reſpective county. Lib. L. fol. 186. and Lib. WH and L. fol. 86. Repealed 1695, ch. 1. Paſſed 9th of June, 1692.

CHAP. LXVII.

ACT for preventing vexatious and unneceſſary ſuits at law. Lib. LL. fol. 188. and Lib. WH nd L. fol. 87. Repealed 1700, ch. 8.

CHAP. LXVIII.

ACT for encouragement of tillage and raiſing proviſions for advancement of trade within this rovince. Lib. LL. fol. 191. and Lib. WH and L. fol. 88.

For three years, or to the end of the next ſeſſion. Continued 1694, ch. 16. and 1695, ch. 16 and 26. Expired.

CHAP. LXIX.

ACT for recording the journal of the houſe of aſſembly. Lib. LL. fol. 193. and Lib. WH and . fol. 89.

CHAP. LXX.

ACT for encouragement of ſuch perſons as will undertake to build water-mills. Lib. LL. l. 195. and Lib. WH and L. fol. 98. Repealed 1700, ch. 8.

CHAP. LXXI.

ACT for naturalization of John Oldſon and Matthias Vanderheyden. Lib. LL. fol. 200. Lib. H and L. fol. 31. and Lib. LL. No. 2. fol. 10. A Private Act.

CHAP. LXXII.

ACT for ſecuring creditors. Lib. LL. fol. 201. and Lib. WH and L. fol. 101. Repealed 00, ch. 8.

CHAP. LXXIII.

ACT for the conſtables taking a liſt of taxables. Lib. LL. fol. 202. and Lib. WH and L. l. 102. Repealed 1700, ch. 8.

CHAP. LXXIV.

ACT againſt the importation of convicted felons into this province. Lib. LL. fol. 205. Lib. VH and L. fol. 132. and Lib. LL. No. 2. fol. 46. Repealed 1704, ch. 77.

CHAP. LXXV.

ACT againſt exceſſive uſury. Lib. LL. fol. 207. Lib. WH and L. fol. 133. and Lib. LL. o. 2. fol. 37. Repealed 1704, ch. 77.

CHAP. LXXVI.

ACT directing the manner of electing and ſummoning delegates and repreſentatives to ſerve in cceeding aſſemblies. Lib. LL. fol. 209. Lib. WH and L. fol. 135. and Lib. LL. No. 2. fol. 39. epealed 1704, ch. 77.

CHAP. LXXVII.

ACT prohibiting foreign engroſſers. Lib. LL. fol. 215. and Lib. WH and L. fol. 138.

For three years, and to the end of the next ſeſſion. Continued 1694, ch. 16. and 1695, ch. 16 and 26. Expired.

CHAP. LXXVIII.

additional act to the act for regulating ordinaries. Lib. LL. fol. 216. and Lib. WH and L. ol. 138. Repealed 1700, ch. 8.

CHAP. LXXIX.

ACT concerning negroes and ſlaves. Lib. LL. fol. 220. and Lib. WH and L. fol. 21.

For three years, or to the end of the next aſſembly. Continued 1694, ch. 16. and 1695, ch. 16. Expired.

CHAP. LXXX.

ACT for reſtraining the unreaſonable increaſe of horſes in this province. Lib. LL. fol. 225. nd Lib. WH and L. fol. 25. Repealed 1694, ch. 17.

CHAP. LXXXI.

ACT for the payment of fees due from criminal perſons. Lib. LL. fol. 227. and Lib. WH and . fol. 36. Repealed 1700, ch. 8.

CHAP.

CHAP. LXXXII.

Passed 9th of June, 1692. An ACT touching coopers, and the gauge of tobacco hogsheads. Lib. LL. fol. 230. and Lib. W and L! fol. 37.

For three years, or to the end of the next session. Expired.

CHAP. LXXXIII.

An ACT for the ordering and regulating the militia of this province, for the better defence and curity thereof. Lib. LL. fol. 235. and Lib. WH and L. fol. 72.

For three years, or to the end of the next session. Continued 1694, ch. 16. and 1695, ch. 16. An additional act ch. 17. Expired.

CHAP. LXXXIV.

An ACT of repeal of all laws heretofore made in this province, and confirming all laws made this general assembly. Lib. LL. fol. 246. Lib. WH and L. fol. 145. and Lib. LL. No. 2. 43. Repealed 1704, ch. 77.

CHAP. LXXXV.

An ACT prohibiting trade with the Indians for deer skins, elk skins, or any furs whatsoev without licence. Lib. LL. fol. 247. and Lib. WH and L. fol. 144. Repealed 1694, ch. 17.

1694. At a SESSION of ASSEMBLY, begun and held at the CITY SAINT-MARY's, the 21st day of September, in the 6th ye of the reign of our Sovereign Lord and Lady WILLIAM an MARY, by the grace of GOD, of England, Scotland, France an Ireland, King and Queen, Defenders of the Faith, &c. *annoq domini* 1694, and ended the 18th October following.

FRANCIS NICHOLSON, ESQUIRE, GOVERNOR.

CHAP. I.

Passed 18th of October, 1694. An ACT for the encouragement of learning, and advancement of the natives of this provin Lib. LL. No. 2. fol. 52. Repealed 1704, ch. 77.

CHAP. II.

An ACT prohibiting all masters of ships and vessels, or any other persons, from conveying or tra porting any person or persons out of this province, without passes. Lib. LL. No. 2. fol. Repealed 1704, ch. 77.

CHAP. III.

An ACT confirming and making valid the last will and testament of Augustine Herman, late Cæcil county, gentleman, as it now stands recorded in the commissary-general's office of this p vince. Lib. LL. No. 2. fol. 56. A Private Act.

CHAP. IV.

An ACT for the naturalization of Peter Ferdinando, and his children, of Andrew Imbert, Claud Dutitree, Gerrardus Weessels, and James his son, Abraham Ambrose, Lewis de Roch Bru John de Vagha, Herman Van Burkelo, Nicholas de la Montagne, Hendrick Sluyter, and Ja Sluyter, junior. Lib. LL. No. 2. fol. 57. A Private Act.

CHAP. V.

An ACT touching coopers and the gauge of tobacco hogsheads. Lib. LL. No. 2. fol. 58. pealed 1704, ch. 77.

CHA

C H A P. VI.

CT for confirmation of all proceedings, judicial, military and civil, from the death of his ex- ency Lyonel Copley, Eſquire, their majeſties late governor and captain-general of Maryland, unto the arrival of his preſent excellency Francis Nicholſon, Eſquire, the preſent governor reof. Lib. LL. No. 2. fol. 62. Repealed 1704, ch. 77. Paſſed 18th of October, 1695.

C H A P. VII.

CT aſcertaining the expences of the delegates of aſſembly, and commiſſioners of the provincial county courts. Lib. LL. No. 2. fol. 66. Repealed 1704, ch. 77.

C H A P. VIII.

CT for erecting Anne-Arundel and Oxford towns into ports and towns. Lib. LL. No. 2. 69.

C H A P. IX.

CT empowering Richard Biſhop, of Talbot county, brother and heir of William Biſhop, late Talbot county, deceaſed, to ſell and diſpoſe of ſo much land as will amount to fifty thouſand nds of tobacco, for the payment of the charges expended in recovering of the ſaid eſtate. . LL. No. 2. fol. 76. A Private Act.

C H A P. X.

CT for tonnage, and aſcertaining naval officers fees. Lib. LL. No. 2. fol. 79. Repealed 4, ch. 77.

C H A P. XI.

dditional act to the act for quieting poſſeſſions. Lib. LL. No. 2. fol. 79. Repealed 1704, 77.

C H A P. XII.

dditional act to the act for religion. Repealed 1695, ch. 1.

C H A P. XIII.

CT for ſettling a revenue on their majeſties preſent governor. Expired.

C H A P. XIV.

CT for appointing rangers for the defence of this province. Repealed 1695, ch. 23.

C H A P. XV.

ACT confirming the acts of the laſt ſeſſion of aſſembly of this province, now remaining upon ord in the ſecretary's office, to be the body of laws, until the ſame ſhall arrive from England.

C H A P. XVI.

ACT for reviving the temporary laws of this province.

. 1692, ch. 12, 26, 28, 33, 34, 45, 46, 53, 54, 55, 61, 68, 77, 79 and 83, all which are hereby continued for three years, r to the end of the next ſeſſion, &c. Expired.

C H A P. XVII.

ACT for repealing certain laws of this province.

C H A P. XVIII.

ACT for appeals, and regulating writs of error.

For three years, or to the end of the next ſeſſion. Continued 1695, ch. 16. Expired.

C H A P. XIX.

ACT for the impoſition of four-pence per gallon on liquors imported into this province.

For three years, or to the end of the next ſeſſion. Continued 1695, ch. 16. Expired.

C H A P. XX.

ACT to prevent the great evil occaſioned by the multiplicity of horſes within this province.

For three years, or to the end of the next ſeſſion. Continued 1695, ch. 16 and 26. Expired.

C H A P. XXI.

ACT for regulating ordinaries, and limitting the number of them within this province.

For three years, or to the end of the next aſſembly. Expired.

C H A P. XXII.

ACT prohibiting the inhabitants of this province, or any others, from carrying liquor to the ndian towns and cabins.

For three years, or to the end of the next ſeſſion. Continued 1695, ch. 16 and 26. Expired.

CHAP. XXIII.

Passed 18th of October, 1694. An ACT for laying an impoſition on ſeveral commodities exported out of this province. Repe 1695, ch. 22.

CHAP. XXIV.

An ACT for the puniſhment of blaſphemy, fornication and adultery. Repealed 1700, ch. 8.

CHAP. XXV.

An ACT concerning thoſe ſervants that have baſtards. Repealed 1700, ch. 8.

CHAP. XXVI.

An ACT againſt ſtriking of fiſh in Dorcheſter and Somerſet counties. Repealed 1696, ch. 15.

CHAP. XXVII.

An ACT for eaſement of the inhabitants of this province in teſtamentary affairs. Repealed 1 ch. 8.

CHAP. XXVIII.

An ACT for relief of debtors. Repealed 1700, ch. 8.

CHAP. XXIX.

An ACT for ſettling aſſemblies and provincial courts, and erecting a court-houſe at Anne-Arun town, in Anne-Arundel county. Repealed 1700, ch. 8.

CHAP. XXX.

An ACT for ſpeedy and eaſy juſtice for ſmall debts.

For three years, or to the end of the next ſeſſion. Continued 1695, ch. 16 and 26. Expired.

CHAP. XXXI.

A Supplicatory act to their ſacred majeſties, for erecting of free-ſchools. Repealed 1696, ch. 1

CHAP. XXXII.

A Supplementary act to the act for encouragement of ſuch perſons as will undertake to build wa mills. Repealed 1700, ch. 8.

CHAP. XXXIII.

An ACT for the aſſeſſment of the public charge of this province.

At a SESSION of ASSEMBLY, begun and held at ANNE-ARUNDE TOWN, in Anne-Arundel county, on the laſt day of February, the ſixth year of the reign of our Sovereign Lord and Lady WI LIAM and MARY, by the Grace of GOD, of England, Scotlan France and Ireland, King and Queen, Defenders of the Faith, & *annoque domini* 1694, and ended the 1ſt day of March followi were enacted the following laws.

FRANCIS NICHOLSON, ESQUIRE, GOVERNOR.

CHAP. XXXIV.

Paſſed 1ſt of March, 1694. An ACT for the continuing of the late diſcontinued proceſs and proceedings of St. Mary's cou court. Lib. LL. No. 2. fol. 81.

CHA

CHAP. XXXV.

ACT for the naturalization of Daniel Daniſon, ſenior, and Daniel Daniſon, junior, of Calvert unty. Lib. LL. No. 2. fol. 83. A Private Act. Paſſed 1ſt of March, 169⅓.

CHAP. XXXVI.

CT for reviving certain laws.

a SESSION of ASSEMBLY, begun and held at the PORT of NNAPOLIS, the 8th day of May, in the 7th year of the reign f our Sovereign Lord and Lady WILLIAM and MARY, by the race of GOD, of England, Scotland, France and Ireland, King nd Queen, Defenders of the Faith, &c. *annoque domini* 1695, nd ended the 22d day of the ſame month, the following acts ere made. 1695.

FRANCIS NICHOLSON, ESQUIRE, GOVERNOR.

CHAP. I.

dditional act to the act for religion. Repealed 1696, ch. 18.

CHAP. II.

CT for ſettling Anne-Arundel county court at the port of Annapolis, within the ſame county. . LL. No. 2. fol. 84. Paſſed 22d of May, 1695.

CHAP. III.

CT for ſecuring executors and adminiſtrators from double paying of debts, and limitting the e for payment of obligations within this province. Lib. LL. No. 2. fol. 85. Repealed 1704, 77.

CHAP. IV.

dditional act to the act for better adminiſtration of juſtice in probat of wills, granting of adiſtrations, recovering of legacies, and ſecuring of filial portions.

For three years, or to the end of the next ſeſſion. Continued 1695, ch. 26. Expired.

CHAP. V.

CT for regulating of ordinaries, and limitting the number of them within this province. Reled 1700, ch. 8.

CHAP. VI.

CT reſtraining the frequent aſſembling of negroes within this province.

For three years, or to the end of the next ſeſſion. Continued 1695, ch. 26. Expired.

CHAP. VII.

dditional act to the act for ports. Lib. LL. No. 2. fol. 88.

CHAP. VIII.

CT for the raiſing a ſupply towards defraying the public charges of this province. Expired.

CHAP. IX.

Passed 22d of May, 1695.

An ACT for the laying an impoſition upon negroes, ſlaves, and white perſons imported into province. Expired.

CHAP. X.

An ACT for the naturalization of Matthias Matthiaſon, alias Freeman, Peter Golley, John Joſeph Gouttee, and Joſeph and John, ſons of the ſaid Joſeph Gouttee, and Leonard Camper Lib. LL. No. 2. fol. 90. A Private Act.

CHAP. XI.

An ACT aſcertaining the fees of naturalization. Lib. LL. No. 2. fol. 91. Repealed 1704, ch.

CHAP. XII.

An ACT for the aſſeſſing three-pence per hogſhead upon tobacco, towards defraying the p charge of this province.

For one year. Expired.

CHAP. XIII.

An ACT for the diviſion and regulating ſeveral counties within this province, and conſtituti county, by the name of Prince-George's county, within the ſame province. Lib. LL. No. 2. fol.

N. B. By this act (1.) from and after the 23d April, 1696, the bounds of St. Mary's county, ſhall begin at Point Loo and extend itſelf up Patowmack river, to the lower ſide of Bud's creek, and ſo over by a ſtreight line drawn from the head main branch of the ſaid Bud's creek, to the head of Indian creek, in Patuxent river; including all that land lying betwe tuxent and Patowmack rivers, from the lower part of the ſaid two creeks and branches of Bud's and Indian creek, by t aforeſaid, and Point Look-out as aforeſaid. (2.) Upon the upper ſide of the ſaid Indian creek and Bud's creek, ſhall the b of Charles county begin, where the upper bounds of St. Mary's ends; and extend itſelf upwards as far as Mattawoman and branch, and bounding on the ſaid branch by a ſtreight line drawn from the head thereof, to the head of Swanſon's cr Patuxent river; including all that land lying on the upper part of Bud's creek and Indian creek branches, where St. M county ends, to the lower ſide of Mattawoman creek and branch, and Swanſon's creek and branch, between Patuxent an towmack rivers, as aforeſaid. (3.) The land from the upper ſide of Mattawoman and Swanſon's creek and branches, exte upwards, bounded by Patowmack on the weſt, and by Patuxent river on the eaſt, ſhall be, and is hereby conſtituted, fr and incorporated into a county of this province, and ſhall be denominated, called and known, by the name of Prince-Ge county; and ſhall, from and after the ſaid 23d day of April next enſuing, being St. George's day, have and enjoy all rights, benefits and privileges, equal with the other counties of this province; ſuch as ſending burgeſſes to aſſemblies, b county courts, ſheriffs, juſtices and other officers and miniſters requiſite and neceſſary, and as are uſed in other counties province. (4.) Commiſſioners appointed, who ſhall, at or before the ſaid 23d day of April, cauſe the ſaid two lines, fr head of Bud's creek branch, to the head of Indian creek branch, and from the head of Mattawoman branch to Swanſon's branch, fully to be marked and lined by a double line of marked trees, that the ſame may be known and perceived by all p deſiring to know the ſame; and ſhall return a certificate of the due courſes thereof, one to each county concerned, and on certificate to the governor and council, to be recorded in the council records, and each county court's records, as aforeſaid. St. Mary's county court to be held for ever hereafter at the ſtate-houſe of the city of St. Mary's, being hereby allowed a pointed to the county of St. Mary's for holding and keeping their courts in, and ſuch other decent ſervices, as to the juſ the ſame county, in full court, ſhall be conſented and agreed to. (6.) The Iſland of Kent to be added to, and made Talbot county. (7.) That part of Talbot county lying on the north ſide of Corſica creek, running up the main eaſtern b to the head thereof, and then with a courſe drawn eaſt, to the outſide of this province, ſhall be the ſoutherly bounds of th ty of Kent, and on the north by the county of Cæcil. (8.) Commiſſioners appointed to cauſe the bounds between Ke Talbot counties to be run out and marked by a double line of trees, and return certificate thereof as aforeſaid.

CHAP. XIV.

An ACT for laying the public levy.

CHAP. XV.

An explanatory act to the act of repeal of all laws heretofore made in this province, and co ing all laws made by this general aſſembly. Lib. LL. No. 2. fol. 96. Repealed 1704, ch. 7

CHAP. XVI.

An ACT for reviving the temporary laws of this province. Expired.

CHAP. XVII.

An additional act to the act for regulating the militia of this province.

To be in force three years, or to the end of the next ſeſſion. Expired.

a SESSION of ASSEMBLY, begun and held at the PORT of ANNAPOLIS, on Tuesday, the 3d day of October, in the 7th year of the reign of our Sovereign Lord and Lady WILLIAM and MARY, by the Grace of GOD, of England, Scotland, France and Ireland, King and Queen, Defenders of the Faith, &c. *annoque domini* 1695, and ended on Saturday, the 19th day of the same month, were enacted the following laws.

FRANCIS NICHOLSON, ESQUIRE, GOVERNOR.

CHAP. XVIII.

ACT for regulating the proceedings of the provincial court, and leſſening the charge of evidences tendance. Paſſed 19th of October, 1695.

For three years, or to the end of the next ſeſſion. Expired.

CHAP. XIX.

ACT for appeals, and regulating writs of error.

For three years, or to the end of the next ſeſſion. Expired.

CHAP. XX.

ACT for the impoſition of four-pence per gallon on liquors imported into this province.

For three years, or to the end of the next ſeſſion. Expired.

CHAP. XXI.

ACT for ſecuring ſeveral perſons rights to town lands. Lib. LL. No. 2. fol. 104.

CHAP. XXII.

ACT for laying an impoſition on ſeveral commodities exported out of this province. Lib. LL. No. 2. fol. 98. Repealed 1704, ch. 27, ſection 10.

CHAP. XXIII.

ACT for appointing rangers for the defence of this province. Repealed 1704, ch. 77.

CHAP. XXIV.

ACT impoſing the duty of 10 *per centum* upon all European commodities exported out of this province.

For three years, or to the end of the next general aſſembly. Expired.

CHAP. XXV.

ACT for the naturalization of Michael Curtis, and others. Lib. LL. No. 2. fol. 106. A Private Act.

CHAP. XXVI.

ACT for reviving the temporary laws of this province. Expired.

CHAP. XXVII.

ACT for the payment of three hundred and thirty-three pounds ſix ſhillings and eight-pence ſterling, towards the maintenance of his majeſty's forces at New-York.

CHAP. XXVIII.

ACT for paying and aſſeſſing the public levy of this province.

At an ASSEMBLY held at the TOWN and PORT of ANNAPOLI the 30th day of April, in the 8th year of the reign of o Sovereign Lord King WILLIAM the third, of England, Scotlan France and Ireland, King, Defender of the Faith, &c. *annoq domini* 1696, and ended the 14th day of May following.

FRANCIS NICHOLSON, ESQUIRE, GOVERNOR.

CHAP. I.

Passed 14th of May, 1696. An ACT for ſpeedy juſtice, and encouragement of trade. Lib. LL. No. 2. fol. 109. Repeal 1700, ch. 8.

CHAP. II.

An ACT appointing the commiſſioners of the counties to return a copy of their county levy, a the ſeveral veſtries a copy of their proceedings, yearly, to the governor and council. Repeal 1700, ch. 8.

CHAP. III.

An ACT to prevent people driving away horſes in the woods. Repealed 1701, ch. 8.

CHAP. IV.

An ACT for reviving the temporary laws of this province.

CHAP. V.

An ACT for aſſeſſing three-pence per hogſhead on tobacco, towards the defraying of the publ charge of this province.

CHAP. VI.

An ACT for the naturalization of John Edgar, of Somerſet county. Lib. LL. No. 2. fol. 11 A Private Act.

CHAP. VII.

An ACT for laying an impoſition on negroes, ſlaves and white perſons imported. Repeal 1700, ch. 8.

CHAP. VIII.

An ACT empowering the commiſſioners of Kent county, to purchaſe three acres of land, where to build a court-houſe. Lib. LL. No. 2. fol. 107.

CHAP. IX.

An ACT explaining part of an act of aſſembly, impoſing a duty of 10 *per centum* upon all Europe goods exported. Expired.

a SESSION of ASSEMBLY, begun and held at the PORT of ANNAPOLIS, on the 1st day of July, in the 8th year of the reign of our Sovereign Lord WILLIAM the third, by the Grace of God, of England, Scotland, France and Ireland, King, Defender of the Faith, &c. *annoque domini* 1696, and ended the 9th day of the same month.

FRANCIS NICHOLSON, ESQUIRE, GOVERNOR.

CHAP. X.

ACT for sanctifying and keeping holy the Lord's Day, commonly called Sunday. Lib. LL. No. 2. fol. 111. Repealed 1723, ch. 16. Passed 8th of July, 1696.

CHAP. XI.

Supplementary act to the act for raising a supply for defraying the public charge of this province. Expired.

CHAP. XII.

ACT prohibiting all manner of profane cursing and swearing. Repealed 1698, ch. 19.

CHAP. XIII.

ACT for settling the clerk of the council's fees.

CHAP. XIV.

ACT for reviving the temporary laws of this province. Expired.

CHAP. XV.

ACT for repealing the act against striking of fish in Dorchester and Somerset counties.

CHAP. XVI.

ACT for assessing the public charge of this province.

CHAP. XVII.

Petitionary act for free-schools. Lib. LL. No. 2. fol. 115.

TO HIS MOST EXCELLENT MAJESTY, &c.

DREAD SOVEREIGN,

FROM the sincerity of our humble and loyal hearts, we offer to your sacred person, our most dutiful and sincere thanks, for your royal care and protection to us, for your majesty's princely and pious care of our mother the church of England, and extending your royal benediction to neighbouring colony, your majesty's subjects and territory of Virginia, in your gracious grant charter for the propagation of the college, or place of universal study, in that your majesty's colony. In humble contemplation whereof, and being excited by his present excellency Francis Nicholson, Esquire, your majesty's governor of this your province, his zeal for your majesty's service, endeavours and generous offers for the propagation of christianity and good learning, herein become humble suitors to your most sacred majesty, to extend your royal grace and favour to us majesty's subjects of this province, represented in this your majesty's general assembly thereof, it may be enacted, Preamble.

AND MAY IT BE ENACTED, *by the King's most excellent majesty, by and with the advice, prayer and consent of this present General Assembly, and the authority of the same*, That for the propagation of the gospel, and the education of the youth of this province in good letters and manners, that a certain place or places, for a free-school or schools, or place of study of Latin, Greek, writing, and the arts, consisting of one master, one usher, and one writing-master, or scribe, to a school, and one hundred scholars, more or less, according to the ability of the said free-school, may be made, erected, founded, propagated and established under your royal patronage. And that the most reverend father in A free-school to be founded at Annapolis, &c.

CHAP. XVII.

in God Thomas, by Divine Providence lord archbiſhop of Canterbury, primate and metropolit all England, may be chancellor of the ſaid ſchools; and that, to perpetuate the memory of majeſty, it may be called King William's School, and managed by certain truſtees, to be choſe appointed by your ſacred majeſty, to wit, ——— as alſo by the following truſtees, nominated appointed by this preſent general aſſembly; that is to ſay, by your majeſty's ſaid governor, Fra Nicholſon, Eſquire, the honourable Sir Thomas Lawrence, baronet, colonel George Robot colonel Charles Hutchins, colonel John Addiſon, of your majeſty's honourable council of this vince; the reverend divine, Mr. Peregrine Cony, and Mr. John Hewett, together with Ro Smith, Kenelm Cheſeldyne, Henry Courſey, Edward Dorſey, Thomas Ennals, Thomas Ta Francis Jenkins, William Dent, Thomas Smith, Edward Boothby, John Thompſon, and John Big gentlemen, or the greateſt part, or the ſucceſſors of them, upon and in a certain place of this vince, called Anne-Arundel-town, upon Severn river, and at ſuch other place or places, as by general aſſembly of this province ſhall be thought convenient and fitting, to be ſupported and m tained in all time coming. And that your majeſty will, for your heirs and ſucceſſors, grant and leave to the ſaid Francis Nicholſon, Eſquire, and truſtees aboveſaid, or the major part or lon livers of them, that they may be enabled to take, hold and enjoy, and that they may be apt capable in law for taking, holding and enjoying, all manors, lands, tenements, rents, ſervi rectories, portions, annuities, penſions, with all other inheritances, franchiſes and poſſeſſions w ſoever, ſpiritual or temporal, to the value of fifteen hundred pounds ſterling, and all other go chattels, money and perſonal eſtate whatſoever, of the gift of any perſon whatſoever, that is wi to beſtow them, for the ſaid uſe, or any other gifts, grants, aſſignments, legacies, or appointme the ſame, or any of them, or of any other goods whatſoever, with this expreſs intention and put in them, that the ſaid Francis Nicholſon, and other the truſtees aforeſaid, or the major pa the longeſt livers of them, ſhall take and hold the premiſes, and ſhall diſpoſe of the ſame, a the rents, revenues and profits thereof, or of any of them, only for the defraying the charges ſhall be laid out in erecting and fitting the edifices of the ſaid free-ſchool or ſchools, as they, o major part of them, ſhall think moſt expedient, until the ſaid free-ſchool or ſchools ſhall be act erected, founded and eſtabliſhed; and upon the truſt and intention, that as ſoon as the ſaid ſchool or ſchools ſhall be erected and founded, the ſaid Francis Nicholſon, and other the tru above named, ſhall, from time to time, and at all times hereafter, apply all lands, tenements, r annuities, goods, chattels, profits, incomes, or advantages whatſoever, real or perſonal, or as m as ſhall not be laid out and beſtowed upon building the ſaid free-ſchool or ſchools as aforeſai ſhall be hereafter expreſſed.

Donations how to be applied.

III. AND, That when the ſaid free-ſchool or ſchools ſhall be ſo erected and eſtabliſhed, the Francis Nicholſon, and other the truſtees above named, or the major part or the longeſt live them, ſhall apply and appropriate to the uſe, benefit and maintenance, out of the revenues o comes to the ſaid truſtees for the uſe aforeſaid, the ſum of one hundred and twenty pounds ſte *per annum*, for the ſalary, ſupport and maintenance of the ſaid firſt-mentioned free-ſchool, m uſher and ſcribe, and the neceſſary repairs and improvements of the ſame, as to the ſaid Fra Nicholſon, and truſtees aforeſaid, the major part or ſurvivors of them, ſhall ſeem expedient time to time to ordain in the premiſes.

Truſtees incorporated.

IV. AND, That for the uſes and purpoſes aforeſaid, they the ſaid Francis Nicholſon, and truſtees aforeſaid, the ſurvivors, or the major part of them, ſhall, and may be incorporated i body politic, by the name of the Rectors, Governors, Truſtees and Viſitors of the Free-Scho Maryland; with full power to plead and be impleaded, to ſue and be ſued, to defend and be defe to anſwer and be anſwered, in all and every cauſe, complaint and action, real, perſonal or mi whatſoever kind or nature it ſhall be, whatſoever courts and places of judicature belonging to majeſty, your heirs or ſucceſſors, or by, from, or under your royal grant or authority.

Their power to beſtow or receive donations.

V. AND, That your majeſty will be graciouſly pleaſed to give and grant your ſpecial licenc far as your majeſty ſee expedient, to the ſaid Francis Nicholſon, Eſquire, and the other tru aforeſaid, that they, or any of them, or that any perſon or perſons whatſoever, after the ſaid ſchool or ſchools is or are ſo erected, founded and eſtabliſhed, or before, may have power to and grant, aſſign and bequeath all or any manor, lands, tenements, rents, ſervices, portions, nuities, penſions, inheritances, franchiſes and poſſeſſions whatſoever, ſpiritual or temporal, to value of fifteen hundred pounds ſterling per year, beſides all burthens, repriſals and reparation them the ſaid Francis Nicholſon, and others the governors, truſtees, and viſitors of the ſaid ſchools of Maryland, the major part or ſurvivors of them incorporate, for the uſes aforeſai them and their ſucceſſors for ever.

VI.

CHAP. XVII.

AND FURTHER, That the ſaid Francis Nicholſon, and other the governors, truſtees and viſitors ſaid, the longeſt livers and ſucceſſors of them, be the true, ſole and undoubted viſitors, truſtees overnors of the ſaid free-ſchool or ſchools, in perpetual ſucceſſion for ever, to be continued in ay and manner hereafter ſpecified, with full and abſolute power, liberty and authority in g and ordaining ſuch laws, orders and rules, for the good government of the ſaid free-ſchool hools, as to them the ſaid truſtees, governors and viſitors aforeſaid, and their ſucceſſors, ſhall time to time, according to the various occaſions and circumſtances, ſeem moſt fit and requiſite, hich ſhall be obſerved by the maſter, uſher, tutors and ſcholars of the ſaid ſchool, upon the ties therein contained. Governors, &c. to make laws, &c.

I. PROVIDED NOTWITHSTANDING, That the ſaid rules, laws and orders, be no ways contrary ur majeſty's prerogative royal, nor to the laws and ſtatutes of your majeſty's kingdom of Eng- or province of Maryland aforeſaid, or to the canons and conſtitutions of the church of Eng- by law eſtabliſhed. Proviſo.

II. AND, That they, the ſaid governors and viſitors and truſtees aforeſaid, and their ſucceſſors, for ever be eighteen men, and not exceeding twenty in the whole, to be elected and conſtituted e way and manner hereafter ſpecified; of which one diſcreet and fit perſon, that ſhall be called r of the ſaid free-ſchool and ſchools. And that, from time to time, and in all times coming, the ector ſhall exerciſe the ſaid office during one year, (death and legal diſability excepted) and till ſome others of the ſaid viſitors and governors of the ſaid ſchool and ſchools ſhall be duly d, preferred and ſworn to the ſaid office. And that, from time to time, and at all times coming, the ſaid year is expired, or after the death of the ſaid rector, the viſitors or governors of the chool or ſchools, or the greateſt part of them, or their ſucceſſors, ſhould have power to elect, ominate another diſcreet and fit perſon from amongſt themſelves, to be rector of the ſaid free- l or ſchools; and that he, who is ſo elected, preferred and nominated into the place of rector oreſaid, ſhall have power to have, exerciſe and enjoy, the ſaid office of rector for one whole except before excepted, then next enſuing, and thereafter until ſome other rector of the ſaid ol or ſchools ſhall be duly elected, preferred to, and ſworn in, the ſaid office. Not to be fewer than eighteen, &c.

I. AND, To perpetuate the ſucceſſion of the ſaid governors, rectors and viſitors, that as often as r more of the governors or viſitors of the ſaid ſchool or ſchools ſhall die, or remove himſelf and y out of this province into any other country for good and all, that then, and ſo often, the rec- or the time being, and the other viſitors and governors of the ſaid free-ſchool and ſchools, then iving and remaining within the province, or the major part of them, ſhall and may have leave to , nominate and chooſe, one or more of the principal and better ſort of the inhabitants of the ſaid ince, into the place or places of the ſaid viſitors and governors ſo dead or removed; and ſo to p the number of the viſitors and governors of the ſaid ſchool and ſchools: And that he and they, ected and choſen, ſhall take his and their corporal oath before the rector and other viſitors and rnors as aforeſaid, or the major part of them, well and faithfully to execute the ſaid office; h oath the rector and two or more of the ſaid viſitors ſhall have power to adminiſter. And that, r the taking the ſaid oath, he or they ſhall be of the number of the ſaid viſitors and governors of ſaid ſchool or ſchools. Succeſſion of governors, &c. provided for.

I. AND FURTHER, That the ſaid rector for the time being, by and with the advice and conſent hree or more of the ſaid governors and viſitors, ſhall and may, from time to time, and as often as d ſhall require, and they ſee convenient, call and convocate the ſaid governors and viſitors toge- , to do, conſult and conſent to ſuch things, as for the propagation, good and benefit of the ſaid -ſchool or ſchools, ſhall be ordained and eſtabliſhed. And that the ſaid governors and viſitors l and may hold ſuch their court or convocation in ſuch free-ſchool, or ſuch part thereof, as to m ſhall ſeem convenient. And ſhall and may, from time to time, puniſh any diſorder, breaches, demeanors or offences, of any maſter, uſher, or ſcribe or ſcholars, of any ſuch free-ſchool or ools, againſt any orders, laws or decrees of the ſaid governors and viſitors aforeſaid. And if they cauſe, to alter, diſplace and turn out, any maſter, uſher or ſcribe, of any ſuch ſchool or ſchools, put others in their ſteads and places, as to the ſaid rectors, governors and viſitors of the ſaid ool or ſchools, or the major part of them, ſhall ſeem convenient and fitting. Rector to call them together.

XI. AND ALSO, That the ſaid rectors, governors and viſitors of the ſaid free-ſchool or ſchools, their ſucceſſors, ſhall have one common ſeal, which they may make uſe of in whatſoever cauſe buſineſs, belonging to them and their ſucceſſors, relating to the ſaid office of rector, governors viſitors of the ſaid free-ſchool and ſchools. And that the ſaid governors and viſitors may have To have a common ſeal.

CHAP. XVII.

leave to break, change and renew their ſaid ſeal, from time to time, at their pleaſure, as they ſee moſt expedient.

Their power and duty.

XII. AND FURTHER, That it may pleaſe your majeſty to grant to the ſaid rector, governors viſitors aforeſaid, of the ſaid free-ſchool or ſchools aforeſaid, that as ſoon as they ſhall be enabl any gifts, grants, penſions, donations or incomes, of any manors, lands, tenements, or other whatſoever, real or perſonal, exceeding the ſum of one hundred and twenty pounds per year, all and allowed for ſupport and reparations of the firſt free-ſchool at Severn, as aforeſaid; that the they ſhall be enabled as aforeſaid, the ſaid rector, governors and viſitors, ſhall proceed to found and build, one other free-ſchool at the town of Oxford, on the eaſtern ſhore of this prov in Talbot county, or in ſuch other place of the ſame county as to the ſaid rectors, governors viſitors aforeſaid, ſhall ſeem moſt expedient. And, after the ſame ſhall be built, founded and liſhed, to appropriate and apply to the ſaid ſecond free-ſchool (out of the treaſure accruing to for the benefit and advantage of free-ſchools aforeſaid, over and above the one hundred and tw pounds per year, allowed as aforeſaid, to the firſt free-ſchool) the like ſum of one hundred and tw pounds per year, for the benefit, advantage and ſupport of ſuch ſecond free-ſchool, and ſhall and place a maſter, uſher, and ſcribe therein, as in the other firſt free-ſchool, as aforeſaid; and ſha all reſpects, be under the ſame benefits, privileges, injunctions and reſtrictions, as the ſaid firſt ſchool.

Other ſchools to be erected.

XIII. AND ALSO, After the ſaid ſecond free-ſchool is built, erected, founded and furniſhed, ſaid rectors, governors and viſitors, ſhall as faſt as they ſhall be enabled as aforeſaid, proceed t erecting other and more free-ſchools in this province; that is to ſay, in every county of this vince at preſent, one free-ſchool. And ſhall and may be empowered to eſtabliſh, conſtitute, e and reſtrain, to and under the ſame benefits, advantages, inſtructions and reſtrictions as afore and appropriate and apply ſuch and ſo much of the ſaid revenue, not before diſpoſed or ordain each free-ſchool, as to them ſhall ſeem moſt convenient and expedient, not exceeding one hun and twenty pounds *per annum*, as aforeſaid.

An act repealed.

XIV. AND BE IT HEREBY ENACTED, *by the authority aforeſaid*, That a (a) ſupplementary ac free-ſchools, made at a ſeſſion of aſſembly, begun and held at the city of St. Mary's, the twenty day of September, 1694, be and is hereby utterly repealed and made void.

(a) Thus it ſtands in the record. This act is declared to be in force by 1704, ch. 80.

CHAP. XVIII.

Paſſed 9th of July, 1696.

An ACT for the ſervice of Almighty GOD, and the eſtabliſhment of the proteſtant religion wi this province. Lib. LL. No. 2. fol. 125. Diſſent.

At a SESSION of ASSEMBLY, begun and held at the PORT ANNAPOLIS, on the 16th day of September, in the 8th year the reign of our Sovereign Lord King WILLIAM the Third, & *annoque domini* 1696, and ended the 2d day of October followi were enacted the following laws.

FRANCIS NICHOLSON, ESQUIRE, GOVERNOR.

CHAP. XIX.

A Supplicatory act about the commiſſary's office.

CHAP. XX.

An ACT for ſecuring the parochial libraries of this province. Repealed 1699, ch. 34.

CHA

CHAP. XXI.

T for ſpeedy juſtice for ſmall debts. Repealed. Paſſed 2d of October, 1696.

CHAP. XXII.

T relating to bail to be taken by the ſheriffs in action of treſpaſs.

CHAP. XXIII.

T for the better clearing of the roads, and directing all travellers through the province.

CHAP. XXIV.

T for keeping good rules and orders in the port of Annapolis. Lib. LL. No. 2. fol. 133.

ed out of the repealing law, 1704, ch. 77, but has ceaſed to have any operation, (except as to private property acquired r it,) by the charter granted to Annapolis, November, 1708, and confirmed by the act 1708, ch. 7.

CHAP. XXV.

lementary act to the act for payment and aſſeſſment of the public charge of this province. ed.

SESSION of ASSEMBLY, begun and held at the PORT of 1697.
NAPOLIS, on the 26th day of May, in the 9th year of the
gn of our Sovereign Lord WILLIAM the Third, of England,
tland, France and Ireland, King, Defender of the Faith, *an-*
ue domini 1697, and ended the 11th day of June, were enacted
following laws.

FRANCIS NICHOLSON, ESQUIRE, GOVERNOR.

CHAP. I.

T for the confirming titles of land, given to the uſe of the churches and ſeveral chapels with- Paſſed 11th of
province, empowering the commiſſioners of the reſpective counties, and veſtries of the re- June, 1697.
e pariſhes, to take up certain parcels of land for the uſe of the ſame. Lib. LL. No. 2. fol.
Repealed.

A new act made 1704, ch. 38.

CHAP. II.

ional act to the act of aſſembly, entitled, An act for ſpeedy juſtice for ſmall debts.

For three years, or to the end of the next ſeſſion. Expired.

CHAP. III.

T aſcertaining how and when execution ſhall be granted for public officers fees.

For three years, or to the end of the next ſeſſion. Expired.

CHAP. IV.

T for the better enabling Mrs. Catherine Herman, widow and relict of colonel Caſparus Au-
Herman, deceaſed, to ſell land in the port of Annapolis, according to contract of her ſaid
d huſband. Lib. LL. No. 2. fol. 148. A Private Act.

CHAP. V.

T empowering the commiſſioners of each reſpective county to purchaſe lands for the uſe of
eſpective courts. Lib. LL. No. 2. fol. 149. Repealed 1704, ch. 77.

N. B. All purchaſes made under this act are confirmed 1704, ch. 76.

CHAP. VI.

Passed 11th of June, 1697. An ACT directing and appointing to what uſe the ſeveral rooms in the ſtate-houſe, in the town port of Annapolis, ſhall be applied to. Lib. LL. No. 2. fol. 153. Repealed 1704, ch. 77.

CHAP. VII.

An ACT for reformation of Jeoffailles in Maryland.

For three years, or to the end of the next ſeſſion. Expired.

CHAP. VIII.

An ACT for quieting the differences ariſing between the Indians and Engliſh in private controver

For three years, or to the end of the next ſeſſion. Expired.

CHAP. IX.

An ACT for the naturalization of Stephen Francis, an Italian, and George Slecombe, a Ger born. Lib. LL. No. 2. fol. 156. A Private Act.

CHAP. X.

An ACT for the aſcertaining what ſhall be the ſheriff's duty upon returns made for public dues officers fees. Repealed.

CHAP. XI.

An ACT for apportioning the public levy. Expired.

CHAP. XII.

An ACT for payment of one hundred and fifty pounds ten ſhillings ſterling.

1698. At a SESSION of ASSEMBLY, begun and held at the PORT ANNAPOLIS, on the 10th day of March, in the tenth year the reign of our Sovereign Lord WILLIAM the Third, by the Gr of GOD, of England, Scotland, France and Ireland, King, D fender of the Faith, &c. *annoque domini* 1697-8, and ended 4th day of April, 1698.

FRANCIS NICHOLSON, ESQUIRE, GOVERNOR.

CHAP. I.

Paſſed 4th of April, 1698. An ACT for reſtraining the extortions of ſheriffs, and deputy-commiſſaries. Repealed.

CHAP. II.

An ACT for re-continuing the late diſcontinued proceſs and proceedings in Cæcil county c Lib. LL. No. 2. fol. 161.

CHAP. III.

An ACT for appointing court days in each reſpective county. Repealed.

CHAP. IV.

An ACT for ſtay of execution after the 10th of May, yearly. Repealed.

CHAP. V.

An ACT for the better diviſion of St. Paul's and Shrewſbury riſhes. Lib. LL. No. 2. fol. 162.

Land to be in Shrewſbury pariſh. BE IT ENACTED, *by the King's moſt excellent majeſty, by and with the advice and conſent of this G General Aſſembly*, That from and after the tenth day of June, *anno domini* 1698, that all land and inhabitants in Cheſter river, above the riding-over of a branch of Morgan's creek

ſt ſide of William Bateman's houſe, and on the north ſide of a line drawn from the riding-over e ſaid branch to the head of a branch of a creek iſſuing out of the bay, called Churne creek, be s taken, reputed and be in Shrewſbury pariſh; and that all the land on the ſouth ſide of the Churne creek and branch and diviſion line, down the bay to the extent of Cæcil county, be ad- o St. Paul's pariſh, in Kent county, on the north ſide of Cheſter river, and always to be reputed, and be in St. Paul's pariſh, any law, cuſtom or uſage to the contrary notwithſtanding. CHAP. V.

AND BE IT FURTHER ENACTED, *by the authority aforeſaid, by and with the advice and conſent afore-* That Mr. Michael Miller, of Kent county, gentleman, and captain Edward Blay, of Cæcil y, be preſent with Symon Willmor, ſurveyor of the ſaid county, at the running and making of iviſion line, and that they return the ſurvey, and a fair demonſtration of the diviſion line, which be lined out by a line of marked trees, as well under the hands and ſeals of the ſaid Mr. Michael r and captain Edward Blay, as the ſaid Symon Willmor, unto his excellency the governor, by enth day of June aforeſaid; and whereas the diviſion of the ſaid pariſhes are thought very con- nt to both the ſaid pariſhes, therefore the charges and expences of the diviſion of the ſaid hes is to be equally paid by the ſaid pariſhes of St. Paul's and Shrewſbury. M. Miller, &c. to be with the ſurveyor, &c.

CHAP. VI.

ACT empowering the commiſſioners of the county courts to raiſe and levy money for defraying e neceſſary charges of their counties. Repealed. Paſſed 4th of April, 1698.

CHAP. VII.

ACT for rectifying the ill practices of the attornies of this province, and for the aſcertaining of attorney-general and clerk of the indictment's fees in criminal caſes. Repealed.

CHAP. VIII.

ACT for ſecuring the parochial libraries of this province. Repealed.

CHAP. IX.

pplementary act to the act for regulating ordinaries. Repealed.

CHAP. X.

ACT for the naturalization of Peter Dowdee, a Frenchman, living in Somerſet county. Lib. L. No. 2. fol. 159. A Private Act.

CHAP. XI.

ACT empowering the commiſſioners of Cæcil county to hold a court this preſent year in April. ib. LL. No. 2. fol. 165.

CHAP. XII.

ACT for deciding differences between maſters and ſervants. Repealed.

CHAP. XIII.

ACT aſcertaining the bounds and limits of Anne-Arundel and Baltimore counties. Lib. LL. o. 2. fol. 157.

Viz. According to a diviſion made by certain commiſſioners in purſuance of an ordinance of aſſembly *anno* 1696, in manner lowing: Beginning at three marked trees, viz. a white oak, a red oak, and a cheſnut tree, ſtanding about a mile and a arter to the ſouthward of Bodkin creek, on the weſt ſide of Cheſapeake bay; the marked red oak on the right hand for ltimore county, the cheſnut tree on the left hand for Anne-Arundel, the white oak in the middle: They ſtanding near a marſh d a pond, and running thence weſt, until it croſs the road from the mountains of the mouth of Magothy river, to Richard ard's mill; then continuing weſtward, with the ſaid road to William Hawkin's path, to two marked trees, the one for Anne- rundel county, the other for Baltimore county; thence continuing along the ſaid road to John Locket's path, to two trees, for e end and purpoſes aforeſaid; then leaving the road, by a line drawn weſt to William Slade's path, to two marked trees as oreſaid; thence continuing weſt, between the draughts of Magothy and Patapſco rivers, until it come to a mountain of white one rock, ſtill continuing weſt to a road going to Patapſco, to Peter Bond's, to two marked trees as aforeſaid; thence conti- ing weſt to the main road to Patapſco ferry, to two marked pines, ſtanding near the Ready Branch, written at large, on the rth ſide of the ſaid trees, Baltimore county, on the ſouth ſide Anne-Arundel county; from thence, with a line drawn . N. W. to Elk-ridge road, to two marked trees, for the end and purpoſes aforeſaid; thence continuing the ſame courſe of . N. W. to Patuxent river, and ſo up the ſaid river to the extent thereof, for the bounds of Baltimore county. All that tract land lying on the north ſide of the ſaid diviſion lines, &c. to be in Baltimore county, and all the land, &c. on the ſouth ſide ereof to the antient extent of Anne-Arundel county, to be in Anne-Arundel county, &c.

N. B. So far of this act as relates to the ſouth ſide of Patapſco river being added to Baltimore county, is repealed by the act 1726, ch. 1.

CHAP. XIV.

ACT for enabling Elizabeth Norman, executrix of George Norman, to make over two tracts of and to John Gadeſby and his heirs for ever. Lib. LL. No. 2. fol. 164. A Private Act.

At

At a SESSION of ASSEMBLY begun and held at the PORT ANNAPOLIS, on Saturday the 22d day of October, in the 10t year of the reign of our Sovereign Lord WILLIAM the third, England, Scotland, France and Ireland, King, Defender of th Faith, &c. *annoque domini* 1698, and ended on Saturday the 12t day of November following.

FRANCIS NICHOLSON, ESQUIRE, GOVERNOR.

CHAP. XV.

Paſſed 12th of Nov. 1698. An ACT for aſcertaining the bounds of a certain tract of land to the uſe of the Nanticoke Indian ſo long as they ſhall occupy and live upon the ſame. Lib. LL. No. 2. fol. 166. Repeal 1704, ch. 77.

CHAP. XVI.

An ACT empowering truſtees to purchaſe lands adjoining to the fountains of healing waters, call the Cool Springs. Lib. LL. No. 2. fol. 168.

CHAP. XVII.

An ACT for the more ſpeedy conveying of the public letters and packets of this province, and ſe tling a revenue upon the ſheriffs for defraying the charge thereof. Repealed.

CHAP. XVIII.

An ACT to enable William Courſey and Elizabeth his wife, or the ſurvivor of them, to ſell and a knowledge ſuch lands as were left by colonel Vincent Lowe to be ſold for the payment of his ju debts. Lib. LL. No. 2. fol. 171. A Private Act.

CHAP. XIX.

An ACT for the more effectual ſuppreſſing of profane curſing and ſwearing. Repealed.

CHAP. XX.

An ACT empowering veſtrymen to aſſeſs their pariſhioners for finiſhing and repairing churche Repealed.

CHAP. XXI.

An ACT appointing how public officers ſhall recover their dues accruing for their office. Repealed

CHAP. XXII.

An ACT for the puniſhment of privateers and pirates. Repealed.

CHAP. XXIII.

An ACT for veſting two tracts of land in John Gadſby, ſold him by George Norman. Lib. LL No. 2. fol. 173. A Private Act.

CHAP. XXIV.

An ACT for preventing ſheriffs from ſummoning delegates and juſtices of the peace to ſerve as juro in this province. Repealed.

CHAP. XXV.

An ACT for aſſeſſing the public levy of this province.

a SESSION of ASSEMBLY, begun and held at the TOWN and ORT of ANNAPOLIS, on the 28th day of June, in the 11th ear of the reign of our Sovereign Lord WILLIAM the third, by he Grace of God, of England, Scotland, France and Ireland, ing, Defender of the Faith, &c. *annoque domini* 1699, and nded the 22d day of July following.

NATHANIEL BLAKISTON, ESQUIRE, GOVERNOR.

CHAP. I.

CT empowering Benjamin Williams, adminiſtrator *de bonis non adminiſtratis* of Joſeph Williams, of Baltimore county, deceaſed, to ſell a certain tract of land in Cæcil county, on Saſſafras r, late the land of Joſeph Williams, called by the name of Tibaulds, and containing about e hundred acres, for the payment of his debts, purſuant to the will of the ſaid Joſeph. Lib. No. 2. fol. 175. A Private Act. Paſſed 22d of July, 1699.

CHAP. II.

CT for the transferring and ſetting over unto major William Whittington, the debts due from officers of Somerſet county, by virtue of an act for raiſing a ſupply towards defraying of the ic charges of this province. Lib. LL. No. 2. fol. 176. A Private Act.

CHAP. III.

CT prohibiting trade with the Indians for any fleſh, dead or alive, except deer and wild . Lib. LL. No. 2. fol. 177. Expired the 25th May, 1705.

CHAP. IV.

CT for the better adminiſtration of juſtice in the county courts of this province. Lib. LL. 2. fol. 178. Repealed.

CHAP. V.

CT aſcertaining what damages ſhall be allowed upon proteſted bills of exchange. Lib. LL. 2. fol. 180. Repealed.

CHAP. VI.

CT for reſtraining the extortions of ſheriffs, ſub-ſheriffs and deputy-commiſſaries. Lib. LL. 2. fol. 180. Repealed.

CHAP. VII.

CT for amerciaments in the provincial and county courts. Lib. LL. No. 2. fol. 182. Re- ed.

CHAP. VIII.

CT for ſtay of executions after the tenth day of April, yearly. Lib. LL. No. 2. fol. 183. aled.

CHAP. IX.

CT empowering the veſtrymen to aſſeſs their pariſhioners for finiſhing and repairing of ches. Lib. LL. No. 2. fol. 185.

For three years, or to the end of the next ſeſſion. Expired.

CHAP. X.

CT for appeals, and regulating writs of error. Lib. LL. No. 2. fol. 188. Repealed.

CHAP.

CHAP. XI.

Passed 22d of July, 1699.

An ACT for the more ſpeedy conveying the public letters and packets of this province, and ſett a revenue on the ſheriffs for defraying the charge thereof. Lib. LL. No. 2. fol. 192. Repea

CHAP. XII.

An ACT empowering the commiſſioners of the county courts to levy and raiſe money to defray neceſſary charges of their counties. Lib. LL. No. 2. fol. 196. Repealed.

CHAP. XIII.

An ACT for the marking highways, and making the heads of rivers, creeks, branches and ſwa paſſable for horſe and foot. Lib. LL. No. 2. fol. 197. Repealed.

CHAP. XIV.

An ACT concerning the height of fences, and to puniſh burners thereof, and alſo to reſtrain multiplicity of horſes and mares, &c. Lib. LL. No. 2. fol. 201. Repealed.

CHAP. XV.

An ACT for the killing of wolves. Lib. LL. No. 2. fol. 203. Repealed.

CHAP. XVI.

An ACT to enable the purchaſers of the ſubſcriptions to the free-ſchool to recover the Lib. LL. No. 2. fol. 205. A Private Act.

CHAP. XVII.

An ACT for ſettling a revenue on his majeſty's preſent governor. Lib. LL. No. 2. fol. Expired.

CHAP. XVIII.

An ACT aſcertaining the bounds of land. Lib. LL. No. 2. fol. 207.

N. B. This act fell under the general repeal of 1704, ch. 77, but by ch. 98, of that year, was revived and continued t end of the next ſeſſion. It was in like manner revived by 1705, ch. 10, and 1706, ch. 1, and totally expired on the 15th 1707.

CHAP. XIX.

An ACT for ſettling aſſemblies and provincial courts at the Port Annapolis, in Anne-Arundel county. Lib. LL. No. 2. fol. 22

Aſſemblies, &c. to be held at Annapolis.

BE IT ENACTED, *by the King's moſt excellent majeſty, by and with the advice and conſent of this p General Aſſembly, and the authority of the ſame*, That the Port of Annapolis, in Anne-Ar county, be the chief place and ſeat of juſtice within this province, for holding aſſemblies and vincial courts.

Writs where returnable.

II. AND, That all writs, pleas and proceſs, iſſuing, or that has iſſued out, and returnable t provincial as aforeſaid, or to the court of chancery, ſhall, from the end of this preſent ſeſſions ſembly, continue and be made returnable to the Port of Annapolis, in Anne-Arundel county ſaid.

CHAP. XX.

An ACT of gratitude to colonel Ninian Beall. Lib. LL. No. 2. fol. 228. A Private Act.

CHAP. XXI.

Petition of Henry Wallace Read, of Kent county, planter. Lib. LL. No. 2. fol. 229. A Pr Act.

CHAP. XXII.

An ACT for continuing the late act for impoſing three-pence per hogſhead upon tobacco, to t of his preſent excellency, from the time of his arrival here to the end of this ſeſſion of aſſe Lib. LL. No. 2. fol. 232. Expired.

CHAP. XXIII.

An ACT for raiſing a ſupply towards the defraying of the public charge of this province, prevent too great a number of Iriſh papiſts being imported into this province. Lib. LL. fol. 233.

For three years, or to the end of the next ſeſſion. Expired.

CH

CHAP. XXIV.

CT for ſpeedy juſtice for ſmall debts. Lib. LL. No. 2. fol. 238. Repealed 1704, ch. 77. Paſſed 22d of July, 1699.

CHAP. XXV.

CT for rectifying the ill practices of attornies of this province, and aſcertaining the attorney-ral and clerk of the indictment's fees. Lib. LL. No. 2. fol. 241. Repealed 1704, ch. 77.

CHAP. XXVI.

CT of directions for the ſheriff's office in this province. Lib. LL. No. 2. fol. 245. Repealed 4, ch. 77.

CHAP. XXVII.

CT for ſecuring the frontiers of this province from the incurſions of Indians. Lib. LL. No. 2. 254.

To continue till the next ſeſſion. Expired.

CHAP. XXVIII.

CT prohibiting the inhabitants of this province, or any others, from carrying liquors to the an towns. Lib. LL. No. 2. fol. 256. Repealed 1704, ch. 77.

CHAP. XXIX.

T for ſummoning grand and petit juries. Lib. LL. No. 2. fol. 257.

For three years, &c. Continued 1700, ch. 7. Revived 1704, ch. 7. Expired.

CHAP. XXX.

T for taking ſpecial bail in the ſeveral counties of this province upon actions and ſuits de-ing in his majeſty's provincial courts. Lib. LL. No. 2. fol. 260. Repealed 1704, ch. 77.

CHAP. XXXI.

T for the conſtables taking a liſt of taxables. Lib. LL. No. 2. fol. 263. Repealed 1704, 7.

CHAP. XXXII.

T for the due recording of all laws of this province in the ſecretary's office, and alſo tranſ-ng the journal of the houſe of delegates into the ſecretary's office. Lib. LL. No. 2. fol. 267. aled 1704, ch. 77.

CHAP. XXXIII.

CT for ſecuring merchants and others tobacco after they have received it. Lib. LL. No. 2. 268. Repealed 1704, ch. 77.

CHAP. XXXIV.

CT for ſecuring the parochial libraries of this province, and that the care and charge thereof ommitted to ſome worthy and learned perſon. Lib. LL. No. 2. fol. 269. Repealed 1704, 7.

CHAP. XXXV.

T for regulating of ordinaries, and limitting the number of them within this province. Lib. No. 2. fol. 278. Expired.

CHAP. XXXVI.

CT for puniſhment of blaſphemy, fornication, adultery, profane curſing and ſwearing. Lib. No. 2. fol. 278. Repealed 1704, ch. 77.

CHAP. XXXVII.

CT for recovering the arrears due from public officers, and transferring ſeveral debts ariſen eon. Lib. LL. No. 2. fol. 282. A Private Act.

CHAP. XXXVIII.

CT for payment of fees due from criminal perſons. Lib. LL. No. 2. fol. 285. Repealed 4, ch. 77.

CHAP. XXXIX.

CT for preventing vexatious and unneceſſary ſuits at law, and for proving of debts, and plead-diſcount in bar. Lib. LL. No. 2. fol. 288. Repealed 1704, ch 77.

CHAP. XL.

Paſſed 22d of July, 1699.

An ACT for encouragement of ſuch perſons as will undertake to build water-mills. Lib. No. 2. fol. 291. Repealed 1704, ch. 77.

CHAP. XLI.

An ACT for the better adminiſtration of juſtice in probat of wills, and granting adminiſtration covering of legacies, and ſecuring filial portions. Lib. LL. No. 2. fol. 296. Repealed ch. 77.

CHAP. XLII.

An ACT for enrolment of conveyances, and ſecuring the eſtate of purchaſers. Lib. LL. fol. 313.

N. B. All conveyances made and enrolled under this act are confirmed by the act of 1715, ch. 47, ſection 6.

CHAP. XLIII.

An ACT relating to ſervants and ſlaves. Lib. LL. No. 2. fol. 316. Repealed 1704, ch. 77.

CHAP. XLIV.

An ACT for ſpeedy trial of criminals, and aſcertaining their puniſhment in the county courts tried there. Lib. LL. No. 2. fol. 328. Repealed 1700, ch. 2.

CHAP. XLV.

An ACT impoſing a fine upon Edward Dorſey, convicting him of a debt of three hundred and three pounds ſix ſhillings and eight-pence to the king, and impoſing a fine on the ſheriffs of and Talbot counties. Lib. LL. No. 2. fol. 332.

CHAP. XLVI.

An ACT aſcertaining the laws of this province. Lib. LL. No. 2. fol. 336. Diſſent.

N. B. By this law, "The ſeveral laws heretofore made which are mentioned in the catalogue hereunto annexed, (viz ch. 1, 2, 4, 8, 13, 14, 16, 19, 24, 35, 37, 41, 43, 50, 52, 56, 57, 58, 62, 63, 64, 65, 71, 74, 75, 76 and 84. *Anno* ch. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 34 and 35. *Anno* 1695, ch. 2, 3, 7, 10, 11, 13, 15, 21, 22 and 25. *Anno* 169 8, 10, 17, 18 and 24. *Anno* 1697, ch. 1, 4, 5, 6 and 9. *Anno* 1698, ch. 2, 5, 10, 11, 13, 14, 15, 16, 18 and 23,) with the ſeveral laws made this ſeſſion, and no other, ſhall be the body of laws of this province, &c. And that all law toſore made, for and in this province, of what kind ſoever, (except laws for private purpoſes, and the laws mentione ſaid catalogue, and the laws made and aſſented to this ſeſſion) are annulled, repealed and made void, &c." His majeſty to this law is dated at the court of Kenſington, 30th November, 1699.

CHAP. XLVII.

An ACT for the ordering and regulating the militia of this province, for the better defence curity thereof. Lib. LL. No. 2. fol. 342. Expired.

CHAP. XLVIII.

An ACT for the puniſhment of privateers and pirates. Lib. LL. No. 2. fol. 350. Repeale

CHAP. XLIX.

An ACT for the limitation of officers fees. Lib. LL. No. 2. fol. 354.

For three years, &c. Continued 1700, ch. 7, and 1704, ch. 4. Expired.

CHAP. L.

An ACT appointing perſons to treat with workmen for the building a church at the port of polis. Lib. LL. No. 2. fol. 368.

CHAP. LI.

An ACT for payment of the public charge of this province. Lib. LL. No. 2. fol. 370.

a SESSION of ASSEMBLY, begun and held at ANNAPOIS, on the 26th day of April, in the 12th year of the reign our Sovereign Lord WILLIAM the third, of England, Scotnd, France and Ireland, King, Defender of the Faith, &c. *nnoque domini* 1700, and ended the 9th day of May following, ere enacted the following laws.

NATHANIEL BLAKISTON, ESQUIRE, GOVERNOR.

CHAP. I.

CT for the ſervice of Almighty GOD, and eſtabliſhment of religion in this province, according he church of England. Lib. LL. No. 2. fol. 372. Repealed 1702, ch. 1, ſection 21. Paſſed 9th of May, 1700.

CHAP. II.

CT for the ſpeedy trial of criminals, and aſcertaining their puniſhments in the county courts n proſecuted there. Lib. LL. No. 2. fol. 383. Repealed 1704, ch. 77.

CHAP. III.

CT for the preſent ſecurity of the frontier plantations againſt the incurſions and violence of ians. Lib. LL. No. 2. fol. 387.

CHAP. IV.

dditional act touching coopers, and the gauge of tobacco hogſheads. Lib. LL. No. 2. fol. 388. pealed 1704, ch. 77.

CHAP. V.

titionary act for confirming land given to Chriſt church, in Calvert county, by the laſt will and ament of captain Richard Ladd, of that county, deceaſed. Lib. LL. No. 2. fol. 390.

CHAP. VI.

CT for quieting differences that may ariſe between his majeſty's ſubjects of this province, and ſeveral nations of Indians of what places ſoever. Lib. LL. No. 2. fol. 390. Repealed 1715, 49, and 1719, ch. 16.

CHAP. VII.

CT for reviving ſome temporary laws of this province. Lib. LL. No. 2. fol. 392.

Viz. 1699, ch. 29 and 49, hereby continued three years, &c. Expired.

CHAP. VIII.

CT for repealing certain laws in this province, and confirming others. Lib. LL. No. 2. 392. Repealed.

. B. By this act all laws made in this province, before the ſeſſion begun and held at Annapolis, the 28th June, 1699, were aled, except thoſe expreſſed and ſet down in the ſchedule or catalogue thereunto annexed, (which is the ſame *verbatim* with annexed to the act of 1699, ch. 46) ſaving to any perſon the benefit and advantage of any ſuit or action already commenced ued upon any the ſaid repealed acts.

CHAP. IX.

CT for the naturalization of Michael Bellicane, ſenior, Michael Bellicane, junior, Chriſtopher llicane, and James Bellicane, his ſons, and Chriſtopher Mounts, all of Cæcil county, and born Dutch parents. Lib. LL. No. 2. fol 397. A Private Act.

CHAP. X.

CT for eſtabliſhing and making valid the laſt will and teſtament of James Tyer, of Charles unty, gentleman. Lib. LL. No. 2. fol. 397. A Private Act.

CHAP. XI.

Passed 9th of May, 1700. An ACT empowering a committee to lay, assess and apportion the public levy for this present 1700. Lib. LL. No. 2. fol. 398.

1701. At a SESSION of ASSEMBLY, begun and held at the Town a Port of ANNAPOLIS, the 8th day of May, and ended the 17 in the 13th year of our Sovereign Lord WILLIAM the Third, by Grace of GOD, of England, Scotland, France and Ireland, Ki Defender of the Faith, *annoque domini* 1701, were enacted following laws, viz.

NATHANIEL BLAKISTON, ESQUIRE, GOVERNOR.

CHAP. I.

Passed 17th of May, 1701. An ACT for the more speedy obtaining execution against persons flying out of the county w judgment is recovered against them. Lib. LL. No. 2. fol. 419. Repealed 1704, ch. 77.

CHAP. II.

An ACT for laying an imposition of three-pence per hogshead on tobacco, for defraying the p charge of the province. Lib. LL. No. 2. fol. 420.

For three years, &c. Expired.

CHAP. III.

An ACT empowering a committee to lay, assess and apportion the public levy this present one thousand seven hundred and one. Lib. LL. No. 2. fol. 421.

CHAP. IV.

An ACT investing a tract of land in Dorothy Stevens, sold her by Simon Willmer, to her an heirs for ever. Lib. LL. No. 2. fol. 422. A Private Act.

CHAP. V.

An ACT investing in the vestry of St. James's parish, in Anne-Arundel county, certain lands to the said parish by Mr. James Rigby and Elizabeth his wife, both deceased. Lib. LL. N fol. 422. A Private Act.

CHAP. VI.

An ACT for the naturalization of Peter Scamper, of Prince-George's county, John Debrute Baltimore county, and John Debruter and William Debruter, his sons, together with the sons and daughters of the said Debruter the father, born in this province. Lib. LL. fol. 423. A Private Act.

a SESSION of ASSEMBLY begun and held at the PORT of NNAPOLIS, in the province of Maryland, on the 16th day of March, 1701-2, and ended the 25th day of the ſame month, 1702.

NATHANIEL BLAKISTON, ESQUIRE, GOVERNOR.

CHAP. I.

ACT for the eſtabliſhment of religious worſhip in this province, according to the church of gland; and for the maintenance of miniſters. Lib. LL. No. 2. fol. 401. Paſſed 25th of March, 1702.

CHAP. II.

CT for preſervation of orphans real eſtates. Lib. LL. No. 2. fol. 411.

CHAP. III.

CT prohibiting horſe-racing on Saturday. Lib. LL. No. 2. fol. 413. Expired.

CHAP. IV.

CT for the relief of Kent and Calvert counties. Lib. LL. No. 2. fol. 413.

CHAP. V.

on of John Needles and Elizabeth his wife, and John Sherrard and Lucy his wife, and of Mary nn, ſpinſter, all of Talbot county. Lib. LL. No. 2. fol. 415. A Private Act.

CHAP. VI.

ACT for the naturalization of Hermanus Schee, gentleman, Iſaac Vanbibber, gentleman, Matas Vanbibber, merchant, and Derrick Colieman, planter, all of Cæcil county, James Broord, d James Broord, John Broord, and Solomon Broord, his ſons, of Kent county, and Sebaſtian ey, of Anne-Arundel county. Lib. LL. No. 2. fol. 417. A Private Act.

CHAP. VII.

ACT prohibiting the abuſes committed by wood rangers. Lib. LL. No. 2. fol. 418.

a SESSION of ASSEMBLY, begun and held at the TOWN and PORT of ANNAPOLIS, on the 25th, and ended the 27th day of June, in the firſt year of the reign of our Sovereign Lady Queen ANNE, &c. *annoque domini* 1702, was enacted the following law.

NATHANIEL BLAKISTON, ESQUIRE, GOVERNOR.

CHAP. VIII.

ACT for apportioning the public levy of this province. Paſſed 27th of June, 1702.

At

At a SESSION of ASSEMBLY, begun and held at the PORT ANNAPOLIS, on the 26th, and ended the 29th day of Octob in the ſecond year of the reign of her moſt ſacred Majeſty Que ANNE, of England, &c. *annoque domini* 1703, were enacted t following laws.

THOMAS TENCH, ESQUIRE, PRESIDENT.

CHAP. I.

Paſſed 29th of October, 1703. An ACT for reviving ſome temporary laws of this province. Lib. LL. No. 2. fol. 425.

CHAP. II.

An ACT empowering a committee to lay, aſſeſs and apportion the public levy, for this pre year, one thouſand ſeven hundred and three. Lib. LL. No. 2. fol. 426.

1704. At a SESSION of ASSEMBLY, begun and held at the TOWN a PORT of ANNAPOLIS, in Anne-Arundel county, on the 26 day of April, and ended the 3d day of May, in the third year the reign of our Sovereign Lady ANNE, by the Grace of GOD, England, Scotland, France and Ireland, Queen, Defender of t Faith, &c. *annoque domini* 1704, were enacted the following la

JOHN SEYMOUR, ESQUIRE, GOVERNOR.

CHAP. I.

Paſſed 3d of May, 1704. An ACT of recognition. Lib. LL. No. 2. fol. 428.

CHAP. II.

An ACT for the naturalization of Chriſtopher Smithers, of the port of Annapolis, tailor, A Livers, tailor, and John Tawert, of Cæcil county, gentleman. Lib. LL. No. 2. fol. 429. Private Act.

CHAP. III.

An ACT to enable the executors of Nicholas Milbourne, late of Talbot county, merchant, t his lands for the payment of his juſt debts within this province. Lib. LL. No. 2. fol. 429. Private Act.

CHAP. IV.

An ACT reviving an (a) act for limitation of officers fees. Lib. LL. No. 2. fol. 431.

(a) 1699, ch. 49, hereby revived for three years. Expired.

CHAP. V.

An ACT reviving an (b) act for quieting differences that may ariſe between her majeſty's ſub within this province, and the ſeveral nations of Indians of what places ſoever. Lib. LL. N fol. 432.

(b) 1700, ch. 6, hereby revived for three years. Expired.

CHA

CHAP. VI.

ACT reviving an (c) act for laying an impoſition of three-pence per hogſhead on tobacco, for de- Paſſed 3d of May, 1704.
ying the public charge of this province. Lib. LL. No. 2. fol. 433.

(c) 1701, ch. 2, hereby revived for three years. Expired.

CHAP. VII.

ACT reviving an (d) act for ſummoning grand and petit juries. Lib. LL. No. 2. fol. 433.

(d) 1699, ch. 29, hereby revived for three years. Expired.

CHAP. VIII.

ACT reviving an (e) act for ordering and regulating the militia of this province, for the better fence and ſecurity thereof. Lib. LL. No. 2. fol. 434.

(e) 1699, ch. 47, hereby revived for three years. Expired.

CHAP. IX.

ACT for reviving an (f) act for raiſing a ſupply towards the defraying the public charge of this ovince, and to prevent too great a number of Iriſh papiſts being imported into this province. b. LL. No. 2. fol. 435.

(f) 1699, ch. 29, hereby revived for three years, or to the end of the next ſeſſion. Expired.

CHAP. X.

ACT for ſettling a revenue on her majeſty's preſent governor. Lib. LL. No. 2. fol. 436. pired.

CHAP. XI.

ACT for repealing a clauſe in an act of aſſembly, entitled, An act for eſtabliſhment of religious rſhip in this province, &c. and alſo for appointing the oaths of abjuration to be taken in this ovince. Lib. LL. No. 2. fol. 437.

CHAP. XII.

ACT to declare how the forty pounds of tobacco per poll, in ſuch pariſhes where there is no cumbent, ſhall be diſpoſed of. Lib. LL. No. 2. fol. 440. Repealed 1715, ch. 49, and 1719, . 16.

CHAP. XIII.

ACT for the ſale of part of the lands of captain Henry Smith, late of Somerſet county, for the yment of his juſt debts. Lib. LL. No. 2. fol. 442. A Private Act.

a SESSION of ASSEMBLY begun and held at the TOWN and PORT of ANNAPOLIS, in Anne-Arundel county, the fifth day of September, and ended the third day of October, in the third year of the reign of our Sovereign Lady ANNE, by the Grace of GOD, of England, Scotland, France and Ireland, Queen, Defender of the Faith, &c. *annoque domini* 1704, were enacted the laws following.

JOHN SEYMOUR, ESQUIRE, GOVERNOR.

CHAP. XIV.

ACT directing the manner of ſuing out attachments in this province, and limitting the extent f them. Lib. LL. No. 3. fol. 1. Repealed 1715, ch. 49, and 1719, ch. 16. Paſſed 3d of October, 1704.

CHAP.

CHAP. XV.

Passed 3d of October, 1704.

An ACT of directions for the sheriff's office in this province, and for the more easy payment of public and county levies. Lib. LL. No. 3. fol. 5.

This act was passed for three years, and by 1707, ch. 21, was continued for three years longer, and also by 1710, ch. 15. Ex

CHAP. XVI.

An ACT for the encouragement of such persons as will undertake to build water-mills. Lib. No. 3. fol. 10.

Repealed by 1766, ch. 10. except the sixth and seventh sections, which are as follow:

Millers toll settled.

VI. AND, for prevention of the abuse frequently committed by persons keeping water-mills taking excessive toll, BE IT THEREFORE ENACTED, *by the authority aforesaid, by and with the advice consent aforesaid*, That from and after the publication hereof as aforesaid, no master, owner, mi or other person, properly belonging to, or otherwise owning any mill within this province, shall demand or receive, for grinding any quantity or quantities of Indian corn or wheat whatsoe above the sixth part of every bushel of Indian corn, and eighth part of every bushel of wheat him or them so ground as aforesaid; upon penalty and forfeiture of one thousand pounds of toba one half to the use of *her majesty, her heirs and successors, for the support of government*, (a) and the o half to him or them that shall inform, or sue for the same; to be recovered in the respective co courts, by action of debt, bill, plaint or information, wherein no essoin, protection, or wage law to be allowed, any other act, usage or custom to the contrary notwithstanding.

Rights secured.

VII. PROVIDED ALWAYS, That if any person, upon encouragement of former acts, hereby rep ed, have begun to build any mill, they shall still have all those advantages that they might have by such act hereby repealed, as if the former act or acts were still in force.

(a) By the 38th article of the constitution, all penalties and forfeitures formerly going to the king or proprietary, are to the state, unless otherwise provided for.

Other acts relating to water-mills, are 1753, ch. 16. and 1756, ch. 12.

CHAP. XVII.

An ACT declaring, that the altering or scratching out of the mark of any tobacco, or altering quality thereof, after received, without lawful order or warrant, shall be deemed and adju felony. Lib. LL. No. 3. fol. 15.

CHAP. XVIII.

An ACT for the publication of all laws within this province. Lib. LL. No. 3. fol. 15. Repe 1715, ch. 49, and 1719, ch. 16.

CHAP. XIX.

An ACT declaring several acts of assembly, formerly made, to be in force. Lib. LL. No. 3. fol

CHAP. XX.

An ACT for the better administration of justice in probat of wills, and granting administrati recovering of legacies, and securing filial portions. Lib. LL. No. 3. fol. 17. Repealed by ch. 49, and 1719, ch. 16.

CHAP. XXI.

An ACT for the marking of highways, and making the heads rivers, creeks, branches and swamps, passable for horse and fo Lib. LL. No. 3. fol. 35.

Supplementary and other acts relating to high-roads, are 1723, ch. 17, 1724, ch. 14, 1736, ch. 17, 1750, ch. 14, ch. 16, 1756, ch. 12, 1794, ch. 52, 1795, ch. 37, 1795, ch. 43, 1796, ch. 60, 1797, ch. 84, 1797, ch. 109, 1797, ch. 112

Preamble.

WHEREAS it is thought convenient, and very much for the benefit of the inhabitants of province, that roads and paths be marked, and the heads of rivers, creeks and branches made passable;

Public roads to be cleared.

II. BE IT THEREFORE ENACTED, *by the Queen's most excellent majesty, by and with the advice and sent of her Majesty's Governor, Council and Assembly of this province, and the authority of the same*, That public and main roads be hereafter cleared, and well grubbed, fit for travelling, twenty foot w and good and substantial bridges made over all heads of rivers, creeks, branches and swamps, w need shall require, at the discretion of the justices of the county courts.

III. A

CHAP. XXI.

AND, for the better aſcertaining what is or ſhall be deemed public roads, BE IT LIKEWISE ENACTED, *by the authority aforeſaid*, That the juſtices of the county courts ſhall ſet down and aſcertain records, once every year, what are the public roads of their reſpective counties, and appoint rs of the ſame; and that no perſon whatſoever ſhall alter or change any ſuch public roads, the leave or licence of the governor and council, or juſtices of the county courts, upon of five hundred pounds of tobacco.

Juſtices to aſcertain roads, &c.

AND, If any overſeer ſo appointed ſhould neglect to clear the roads ſo as aforeſaid, he ſhall five hundred pounds of tobacco in caſk. And every labourer that ſhall refuſe to ſerve and e overſeer, and every maſter of ſervants, that being ſummoned or warned, ſhall refuſe to ſend is taxable male ſervants to the overſeer aforeſaid, he or they ſhall be fined; that is to ſay, every r, one hundred pounds of tobacco, and the ſaid maſter, for every ſervant warned and not ne hundred pounds of tobacco. And the clerk of the county is hereby obliged to iſſue out s to the overſeers appointed, upon penalty of one thouſand pounds of tobacco; and the of each reſpective counties are to deliver the ſame to the ſeveral and reſpective overſeers ſo ed as aforeſaid, *ex officio*, on penalty of one thouſand pounds of tobacco in caſk; the one half hich fines, ſhall be employed and diſpoſed of towards the defraying the county charge, in ſuch as the commiſſioners of each reſpective county ſhall, in their diſcretion, think convenient; er half to him or them that ſhall inform, or ſue for the ſame; to be recovered in her majeſty's or the uſe aforeſaid, by bill, plaint or information, (b) in any court of record within this pro- wherein no eſſoin, protection, or wager of law to be allowed.

Overſeers neglecting to be fined.

Owners of water-mills are not obliged to ſend any of their taxables to work on public roads. See 1753, ch. 16, and 1756, Owners of iron-works are obliged only to ſend one out of every ten labourers employed in ſuch works. See 1750, ch. 14.

The manner of recovery of fines for not appearing at the clearing of the highways, is altered by the act of 1723, ch. 17, directs ſuch offenders to be proſecuted before a ſingle magiſtrate.

AND, That all the roads that lead to any ferries, court-houſe of any county, or to any church, ing through any county to the port of Annapolis, ſhall be marked on both ſides the road with tches; if the road lead to Annapolis, the road that leads there, at the leaving the other road, marked on the face of the tree, in a ſmooth place cut for that purpoſe, with the letters A A with a pair of marking-irons, and coloured; and ſo with two notches all along the road; and at any place it leaves any other road, ſhall be again diſtinguiſhed with the mark aforeſaid, on e of the tree, with a pair of marking-irons, and coloured as aforeſaid. And any road on the ſhore, in Talbot county, that leads to the port of (c) William-Stadt, at the entering into the and upon parting with or dividing from any other road, ſhall be marked on the face of a tree, ooth place cut for that purpoſe, with the letter W, and ſo with two notches all along the And the roads that lead to any county court-houſe, ſhall have two notches on the trees on des of the road as aforeſaid, and another notch a diſtance above the other two. And any road ads to a church, ſhall be marked at the entrance into the ſame, and at the leaving any other with a ſlip cut down the face of the tree, near the ground. And any road leading to a ferry, iding from other public roads, ſhall be marked with three notches of equal diſtance at the en- into the ſame. And theſe rules and methods, the ſeveral juſtices of the county courts ſhall, me to time, give in charge to the overſeers of the highways, by them to be appointed for that e, who are likewiſe enjoined carefully and ſtrictly to obſerve and perform the ſame, under the y aforeſaid.

How roads are to be marked.

(c) Commonly called Oxford. See the act of 1695, ch. 7.

AND, where any road ſhall lead through any ſeated plantation or old fields, BE IT ENACTED, *authority aforeſaid, by and with the advice and conſent aforeſaid*, That the ſeveral and reſpective ers, within their ſeveral and reſpective precincts, do ſet up poſts, ſo many as may be perceived ne to the other; which poſts ſhall be marked and notched according to the place they lead to, ore in this act, for the marking and notching of roads, have been appointed; and that the f all gates, through which any ſuch road ſhall lead as aforeſaid, be marked and notched as id, under the penalty aforeſaid, any thing in this act to the contrary notwithſtanding. hat the ſaid overſeers, ſhall, from time to time, as often as occaſion ſhall require, fall all dead n each ſide of all main roads, whoſe limbs hang over the road, to prevent any damage that ppen by their falling on travellers.

Poſts to be ſet up.

1794, ch. 52, and other acts, this act is declared void as to certain counties, and it extends at preſent only to the counties int-Mary's, Somerſet, Calvert, Charles and Dorcheſter.

CHAP. XXII.

Paſſed 3d of October, 1704. An ACT prohibiting all maſters of ſhips or veſſels, or any other perſons, from tranſporting or veying away any perſon or perſons out of this province without paſſes. Lib. LL. No. 3. fol Repealed 1715, ch. 49, and 1719, ch. 16.

CHAP. XXIII.

An ACT relating to ſervants and ſlaves. Lib. LL. No. 3. fol. 40. Repealed 1715, ch. 49, 1719, ch. 16.

CHAP. XXIV.

An ACT for quieting of poſſeſſions, enrolling of conveyances, and ſecuring the eſtates of purch Lib. LL. No. 3. fol. 50. Repealed 1715, ch. 49, and 1719, ch. 16.

CHAP. XXV.

An ACT for the ſpeedy trial of criminals, and aſcertaining their puniſhments in the county c when proſecuted there. Lib. LL. No. 3. fol. 56. Repealed 1715, ch. 49, and 1719, ch.

CHAP. XXVI.

An ACT for the ordering and regulating the militia of this province, for the better defenc ſecurity thereof. Lib. LL. No. 3. fol. 60.

CHAP. XXVII.

An ACT for laying an impoſition on ſeveral commodities exported out of this province. Lib No. 3. fol. 67.

CHAP. XXVIII.

An ACT for the encouragement of tillage, and relief of poor debtors. Lib. LL. No. 3. fol.

To continue three years. Revived 1708, ch. 20, and 1712, ch. 25. Expired.

CHAP. XXIX.

An ACT for the relief of creditors in England, againſt bankrupts have imported any goods into this province, not accounted Lib. LL. No. 3. fol. 74.

A ſupplementary act, 1753, ch. 36.

Factors to be accountable, &c. BE IT ENACTED, *by the Queen's moſt excellent majeſty, by and with the advice and conſent of her Governor, Council and Aſſembly of this province, and the authority of the ſame*, That if any who is become bankrupt in England, and hath imported into this province any cargo of goo merchandiſes, and the ſame conſigned to any his factor or agent in this province, who hath counted, or ſhall not have accounted for ſuch cargo to his principal; that is to ſay, to the ba aforeſaid, before an action of account be brought againſt ſuch factor or agent, by the commiſſio bankrupt, or before a legal demand made, to have account of ſuch cargo to the ſaid commiſſione the agent, factor, or attorney of ſuch commiſſioner; that the commiſſioners of bankrupts, by vir this act, may compel ſuch factor or agent to account to them, as he ſhould have done to the pal; and the commiſſioners of bankrupt ſhall be adjudged, deemed and taken, to have the ſame to ſuch goods and cargo, and the produce of the ſame, as they have to any the goods and wares ſaid bankrupt in England.

Proviſo. II. PROVIDED ALWAYS, That no ſuch commiſſion ſhall be put in uſe, or executed, before factor of ſuch commiſſioners of bankrupt put in good ſecurity to ſatisfy the debts contracted province by ſuch bankrupt merchant, his factor or factors, under the credit of ſuch cargo or c of goods imported, which are hereby ſuppoſed to be all ſuch debts as ſhall be contracted by ſuch rupt merchant, his factor or factors, after importation of ſuch cargo or cargoes.

CHAP. XXX.

An ACT impoſing nine-pence per gallon on rum, ſpirits, wine and brandy, imported by land Pennſylvania into this province. Lib. LL. No. 3. fol. 75.

CHAP. XXXI.

An ACT for the better adminiſtration of juſtice in the high court of chancery, provincial and c courts, ſpeedy recovery of debts, directing how ſmall debts ſhall be recovered, and for the eaſy obtaining of execution againſt perſons abſenting from the counties where the judgments obtained againſt them. Lib. LL. No. 3. fol. 77. Repealed 1715, ch. 49, and 1719, ch. 1

CH

CHAP. XXXII.

CT for appeals, and regulating writs of error. Lib. LL. No. 3. fol. 80. Passed 3d of October, 1704.

CHAP. XXXIII.

CT impoſing three-pence per gallon on rum and wine, brandy and ſpirits, and twenty ſhillings poll for negroes, for raiſing a ſupply to defray the public charge of this province, and twenty ings per poll on Iriſh ſervants, to prevent the importing too great a number of Iriſh papiſts into province. Lib. LL. No. 3. fol. 83.

To continue three years. Revived 1708, ch. 16, and 1712, ch. 22. Repealed 1715, ch. 49, and 1719, ch. 16.

CHAP. XXXIV.

CT empowering the commiſſioners of the county courts to levy and raiſe tobacco to defray the ſſary charges of their counties and pariſhes. Lib. LL. No. 3. fol. 87.

CHAP. XXXV.

CT directing the manner of electing and ſummoning delegates and repreſentatives to ſerve in eeding aſſemblies. Lib. LL. No. 3. fol. 90. Repealed 1708, ch. 5.

CHAP. XXXVI.

CT to make valid, good and effectual in the law, all manner of proceſs and proceedings in the ral courts of this province, from the year 1690, to the year 1692, and alſo from the death of nel Copley, Eſquire, late governor of this province, to the arrival of Francis Nicholſon, ire, governor thereof, and from the demiſe of his late majeſty king William the third, to this nt time. Lib. LL. No. 3. fol. 93.

CHAP. XXXVII.

CT providing what ſhall be good evidence to prove foreign and other debts, and to prevent tious and unneceſſary ſuits at law, and pleading diſcounts in bar. Lib. LL. No. 3. fol. 95. ealed 1715, ch. 49, and 1719, ch. 16.

CHAP. XXXVIII.

ACT for the confirming titles of land given to the uſe of the urches and ſeveral chapels within this province, empowering the mmiſſioners of the reſpective counties, and veſtries of the re-ective pariſhes, to take up certain parcels of land for the uſe of e ſame. Lib. LL. No. 3. fol. 99.

Another act, 1722, ch. 4.

HEREAS ſeveral pious and well diſpoſed perſons have given and granted unto the reſpective pariſhes whereto they do belong, certain parcels of ground, for the uſe and benefit of a and church-yard, which ſaid land, through the neglect of the veſtries, who, by an act of ly of this province, made at a ſeſſion of aſſembly, held at the port of Annapolis, the twentieth July, *anno domini* one thouſand ſix hundred ninety and ſix, entitled, An act for the ſervice of ty God, and eſtabliſhment of the proteſtant religion, were capacitated and empowered, by the of the principal veſtryman, and the reſt of his brethren veſtrymen of ſuch pariſh, to take and e any deed of gift for the ſame, notwithſtanding the charges of the reſpective pariſhes in build-urches or chapels thereon, is like to be loſt, or the title thereunto very diſputable, for want of eed of gift or conveyance enrolled and recorded as by an act of aſſembly is required, the firſt s or grantors thereof being dead, and the heirs of ſuch donors or grantors, either refuſing to over ſuch land as aforeſaid, or under age, not capable of ſo doing. Preamble.

BE IT THEREFORE ENACTED, *by the Queen's moſt excellent majeſty, by and with the advice and conſent of her majeſty's Governor, Council and Aſſembly of this province, and the authority of the ſame*, That all lands as have formerly been given to the uſe of any church or chapel, and for which the do-or grantors thereof, in their life-times have not made a deed of gift for the ſame, or otherwiſe d ſo to do, and in confidence of whoſe promiſe the pariſh have been at the charge of erecting uilding their churches thereon, be and remain to the uſe of the pariſh for ever, againſt all claims, retenſions of claims made, or that hereafter ſhall be made, by ſuch donors or grantors, or his eir heirs, executors or aſſigns, as firmly and abſolutely, as if the ſame had been made over by of gift, grant or otherwiſe, enrolled and recorded as aforeſaid. Titles confirmed.

C. P. XXXIII. Grand jury to inquire.

III. AND, To the end it may be known what lands have been ſo given to the uſe of any chur chapel aforeſaid, and made over and confirmed by deed of gift or grant as aforeſaid, the grand in each reſpective county within this province, next after the publication of this act, ſhall ha charge to inquire by what title ſuch lands, whereupon the ſeveral churches or chapels afor within their reſpective pariſhes, and in their precincts, are held, and to render an account th to the court, who are hereby empowered, where any ſuch lands ſhall appear to be given, an confirmed as aforeſaid, in open court to examine witneſſes *in perpetuam rei memoriam*, and the cauſe to be recorded in the county records, which ſhall be deemed, adjudged and taken, in all c of record within this province, as ſufficient proof of the donation or grant, as alſo to the qua of acres given or granted as aforeſaid.

Veſtry may demand, &c.

IV. AND, In caſe it ſhall appear upon ſuch examination, that lands have been given for the any church, chapel or church-yard as aforeſaid, but the quantity thereof not mentioned by th nors or grantors thereof as aforeſaid, that then, and in every ſuch caſe, the veſtry of the reſpe pariſh, where ſuch gift or grant hath been made, and the quantity not aſcertained as aforeſaid, demand and take of ſuch lands, for the uſe of the church, and thereto adjacent, two acres, a more, which they ſhall cauſe to be ſurveyed and ſtaked out; and make returns of two certifi thereof, one of which muſt be recorded in the county court, and the other in the high court of cery, there to be regiſtered *in perpetuam rei memoriam* as aforeſaid.

In what manner they ſhall proceed.

V. AND BE IT FURTHER ENACTED, *by the authority aforeſaid, by and with the advice and conſent afor* That where the veſtry of any pariſh within this province, have, or ſhall think convenient to either church or chapel of eaſe within their reſpective pariſhes, for the better conveniency of pariſhioners, but the owner or owners of ſuch land, choſen out and appointed by ſuch veſtry as ſaid, for the uſe of their pariſh aforeſaid, either refuſe to make ſale thereof, or are unreaſonab his or their demands for the ſame, or otherwiſe incapacitated by non-age, *non ſanæ memoriæ*, or beyond the ſeas, that then, in every ſuch caſe, the reſpective veſtries of the reſpective par ſhall apply themſelves to the commiſſioners of the county court whereto they belong, upon w application the ſaid commiſſioners ſhall forthwith grant their warrants to the ſheriff of their co thereby requiring him, at a certain day and time, to be by them nominated and appointed, to im nel a jury of ſubſtantial freeholders next adjacent to the land in queſt aforeſaid, which ſaid com oners, and jury aforeſaid, ſhall proceed in all things, as by another act of aſſembly, entitled, A empowering the commiſſioners of the ſeveral and reſpective counties, to take up and purchaſe for their county court-houſes, they are directed, not exceeding two acres as before in this act tioned and expreſſed, any thing in this act, or any other, ordained to the contrary notwithſtandi

CHAP. XXXIX.

Paſſed 3d of October, 1704.

An ACT declaring that the grantees of land, lying within the Indians land, may have acti treſpaſs againſt ſuch perſons as cut timber off their land, on pretence of having bought the ſa the Indians. Lib. LL. No. 3. fol. 102.

CHAP. XL.

An ACT regulating of ordinaries. Lib. LL. No. 3. fol. 103.

For three years. Expired.

CHAP. XLI.

An ACT aſcertaining the height of fences, to prevent the evil occaſioned by the multitude of h and reſtraining horſe-rangers within this province. Lib. LL. No. 3. fol. 108.

For three years, &c. Revived by 1708, ch. 18, and 1712, ch. 26. Repealed 1715, ch. 49, and 1719, ch. 16.

CHAP. XLII.

An ACT for ſettlement of an annual revenue upon her majeſty's governor within this provinc the time being. Lib. LL. No. 3. fol. 111.

CHAP. XLIII.

An ACT prohibiting the importation of bread, beer, flour, malt, wheat, or other Engliſh or I grain, or meal, horſes, mares, colts, or fillies, or tobacco, from Pennſylvania, and the terri there belonging. Lib. LL. No. 3. fol. 114.

For three years. Continued by 1707, ch. 19, 1710, ch. 11, and 1713, ch. 22. Repealed 1715, ch. 49, and 1719, ch.

CHAP. XLIV.

An ACT for limitation of certain actions, for avoiding ſuits at law. Lib. LL. No. 3. fol. Repealed 1715, ch. 49, and 1719, ch. 16.

CH

CHAP. XLV.

Passed 3d of October, 1704.

ACT for the more ſpeedy conveying of public letters and packets of this province, and defraying the charge thereof. Lib. LL. No. 3. fol. 118. Repealed 1710, ch. 2.

CHAP. XLVI.

ACT for the recording of all the acts of aſſembly of this province in the ſecretary's office, as to tranſmitting of the journal of the houſe of delegates into the ſaid office. Lib. LL. No. 3. fol. 120. Repealed 1715, ch. 49, and 1719, ch. 16.

CHAP. XLVII.

ACT for the puniſhment of blaſphemy, profane ſwearing and curſing. Lib. LL. No. 3. fol. 122. Repealed 1715, ch. 49, and 1719, ch. 16.

CHAP. XLVIII.

ACT againſt engroſſers and regraters. Lib. LL. No. 3. fol. 124. Repealed 1774, ch. 3.

CHAP. XLIX.

ACT for the ſtay of execution after the tenth of May, yearly. Lib. LL. No. 3. fol. 127. Repealed 1715, ch. 49, and 1719, ch. 16.

CHAP. L.

ACT for killing of wolves and crows. Lib. LL. No. 3. fol. 128.

To continue for two years. Expired.

CHAP. LI.

ACT for ſecuring merchants and others tobacco, after they have received it. Lib. LL. No. 3. fol. 130. Repealed 1715, ch. 49, and 1719, ch. 16.

CHAP. LII.

ACT for the taking ſpecial bail in the ſeveral counties of this province, upon actions and ſuits depending in her majeſty's provincial court. Lib. LL. No. 3. fol. 132. Repealed 1715, ch. 49, and 1719, ch. 16.

CHAP. LIII.

ACT aſcertaining the gauge of tobacco hogſheads. Lib. LL. No. 3. fol. 134. Diſſent.

CHAP. LIV.

ACT for the ſecuring perſons rights to town lands. Lib. LL. No. 3. fol. 136.

CHAP. LV.

ACT for rectifying the ill practices of attornies of this province, and aſcertaining the attorney-general's and clerk of indictment's fees. Lib. LL. No. 3. fol. 137. Repealed 1715, ch. 49, and 1719, ch. 16.

CHAP. LVI.

ACT for ſecuring the parochial libraries of this province. Lib. LL. No. 3. fol. 140.

CHAP. LVII.

ACT reſtraining the extortions of ſheriffs, ſub-ſheriffs and deputy-commiſſaries. Lib. LL. No. fol. 142. Repealed 1715, ch. 46.

CHAP. LVIII.

ACT for aſcertaining the bounds of a certain tract of land to the uſe of the Nanticoke Indians, ſo long as they ſhall occupy and live upon the ſame. Lib. LL. No. 3. fol. 144.

Preamble.

being moſt juſt that the Indians, the ancient inhabitants of this province, ſhould have a convenient dwelling-place in this their native country, free from the encroachments and oppreſſions the Engliſh, more eſpecially the Nanticoke Indians, in Dorcheſter county, who, for theſe many s have lived in peace and concord with the Engliſh, and in all matters in obedience to the gotment of this province; we; the burgeſſes and delegates of this preſent general aſſembly, thereo pray that it may be enacted,

II. And

CHAP. LVIII. Bounds settled.

II. AND BE IT ENACTED, *by the Queen's moſt excellent majeſty, by and with the advice and conſent majeſty's Governor, Council and Aſſembly of this province, and the authority of the ſame,* That all the lying and being in Dorcheſter county, and on the north ſide of [illegible] river, butted and bou as followeth: (Beginning at the mouth of Chickawan creek, and running up the ſaid creek, bou therewith to the head of the main branch of the ſame, and from the head of the ſaid main br with a line drawn to the head of a branch iſſuing out of the northweſt fork of Nanticoke, know the name of Francis Anderton's Branch, and from the head of the ſaid branch, down the ſaid derton's branch bounded therewith, to the mouth of the ſame, where it falls into the ſaid n weſt fork, and from thence down the aforeſaid northweſt fork, bounded therewith, to the main r and ſo down the main river to the mouth of the aforeſaid Chickawan creek,) ſhall be confirme aſſured, and, by virtue of this act, is confirmed and aſſured unto Panquaſh and Annotoughquan, the people under their government, or charge, and their heirs and ſucceſſors for ever, any uſage, cuſtom or grant, to the contrary in anywiſe notwithſtanding, to be held of the lord prietary, and his heirs, lord proprietary or lords proprietaries of this province, under the y rent of one beaver ſkin, to be paid to his ſaid lordſhip and his heirs as other rents in this pro by the Engliſh uſed to be paid.

Proviſo.

III. PROVIDED ALWAYS, That it ſhall or may be lawful for any perſon or perſons, that hath merly taken up and obtained any grants from the lord Baltimore for any tracts or parcels of within the aforeſaid boundaries, upon the Indians deſerting or leaving the ſaid land, to enter, py and enjoy the ſame, any thing in this law to the contrary notwithſtanding.

No rents payable.

IV. AND BE IT FURTHER ENACTED, *by the authority aforeſaid,* That it may not, nor ſhall be l for the lord Baltimore, to aſk, have or demand, any rent or ſervice for any of the ſaid trac dividends, as may, or have been taken up as aforeſaid within the ſaid Indians boundaries, until time that the takers-up, or owners aforeſaid, do enjoy or poſſeſs the ſame, any law, uſage or cu to the contrary notwithſtanding.

CHAP. LIX.

Paſſed 3d of October, 1704.

An ACT to prevent the growth of popery within this province. Lib. LL. No. 3. fol. 145. pealed 1718, ch. 4.

CHAP. LX.

An ACT for the puniſhing the offences of adultery and fornication. Lib. LL. No. 3. fol. Repealed 1715, ch. 49, and 1719, ch. 16.

CHAP. LXI.

An ACT for the appointment of conſtables, and what relates to their office. Lib. LL. No. 149. Repealed 1715, ch. 49, and 1719, ch. 16.

CHAP. LXII.

An ACT requiring the maſters of ſhips and veſſels to publiſh the rates of their freight before take any tobacco on board. Lib. LL. No. 3. fol. 151. Repealed 1785, ch. 69.

CHAP. LXIII.

An ACT for appointing court days in each reſpective county in this province. Lib. LL. N fol. 153. Repealed 1708, ch. 12.

CHAP. LXIV.

An ACT for laying an impoſition of three-pence per hogſhead on tobacco, for defraying the p charge of the province. Lib. LL. No. 3. fol. 153.

To continue three years. Farther continued by 1708, ch. 17, and 1712, ch. 14. Repealed 1714, ch. 1.

CHAP. LXV.

An ACT prohibiting the inhabitants of this province, or any others, from carrying liquors to I towns. Lib. LL. No. 3. fol. 155.

CHAP. LXVI.

An ACT prohibiting commiſſioners, ſheriffs, clerks and deputy-clerks, to plead as attornies in reſpective county courts. Lib. LL. No. 3. fol. 155.

CHAP. LXVII.

An ACT to encourage the inhabitants of this province to adventure their ſhips and veſſels freely abroad, to import rum, ſugar, negroes, and other commodities. Lib. LL. No. 3. fol.

CH

CHAP. LXVIII.

CT empowering a committee to lay, aſſeſs and apportion the public levy of this preſent year, thouſand ſeven hundred and four. Lib. LL. No. 3. fol. 157. Expired. Paſſed 3d of October, 1704.

CHAP. LXIX.

n ACT againſt exceſſive uſury. Lib. LL. No. 3. fol. 159.

T ENACTED, *by the Queen's moſt excellent majeſty, by and with the advice and conſent of her majeſty's overnor, Council and Aſſembly of this province, and the authority of the ſame,* That no perſon or whatſoever, within this province, whether inhabitant or foreigner, upon any contract, from er the end of this preſent ſeſſion of aſſembly, ſhall exact or take, directly or indirectly, for any monies, wares or merchandiſes, or other commodities whatſoever, to be paid in money, the value of ſix pounds for the forbearance of one hundred pounds for one year, and ſo after te for a greater or leſſer ſum, or for a larger or ſhorter time, nor ſhall any perſon or perſons ever, within this province as aforeſaid, from and after the time aforeſaid, exact and take, di- or indirectly, for loan of any tobacco, wares, merchandiſes, or other commodities, for one o be paid in tobacco or other commodities of this province, above the value of eight pounds cco for the forbearance of one hundred pounds of tobacco, and after that rate for a greater r ſum, or for a longer or ſhorter time. Intereſt for money ſettled.

ND, That all bonds, contracts and aſſurances whatſoever, made after the time aforeſaid for t of any principal money or tobacco, goods or commodities aforeſaid, to be lent, or covenanted erformed, upon or for any uſury, whereupon or whereby there ſhall be reſerved above the rate ounds in the hundred for money as aforeſaid, or above eight pounds in the hundred for tobacco, r goods and commodities as aforeſaid, ſhall be utterly void. Certain bonds, &c. void.

ND, That all and every perſon and perſons whatſoever, which after the time aforeſaid ſhall, ny contract to be made, take, accept and receive, by ways or means of any corrupt bargain, xchange, chievezance, ſhift, or intereſt of any wares, merchandiſes, or other thing or things ever, or by any deceitful ways or means, or by any covin, inſtrument, or deceitful conveyance, forbearance, or giving day of payment, for one whole year, of and for their money, tobacco, nd commodities aforeſaid, above the ſum of money, or quantity of tobacco aforeſaid, for the ance aforeſaid, ſhall forfeit and loſe for every ſuch offence the treble value of the money, , wares, merchandiſes, or other thing, ſo lent, bargained, ſold, exchanged, and ſhifted as id, the one half of the ſaid fine and forfeiture to our ſovereign lady the queen, her heirs and ors, for the ſupport of this government, the other half to him or them that ſhall ſue for the to be recovered in any court of record of this province by action of debt, bill, plaint or in- ion, wherein no eſſoin, protection, or wager of law to be allowed. Perſons to forfeit treble, &c.

CHAP. LXX.

CT aſcertaining the expences of the counſellors, delegates of aſſembly, and commiſſioners of provincial and county courts of this province. Lib. LL. No. 3. fol. 160.

CHAP. LXXI.

CT relating to the ſtandard of Engliſh weights and meaſures. Lib. LL. No. 3. fol. 162. ealed 1715, ch. 49, and 1719, ch. 16.

CHAP. LXXII.

CT for publication of marriages. Lib. LL. No. 3. fol. 163.

CHAP. LXXIII.

CT aſcertaining what damages ſhall be allowed upon proteſted bills of exchange. Lib. LL. 3. fol. 164. Repealed 1708, ch. 10.

CHAP. LXXIV.

CT declaring how fees for naturalization, and other private laws, ſhall be proportioned. LL. No. 3. fol. 166.

CHAP. LXXV.

CT for amerciaments in the provincial and county courts. Lib. LL. No. 3. fol. 167.

CHAP.

CHAP. LXXVI.

Passed 3d of October, 1704.

An ACT confirming purchaſes made by the commiſſioners of t reſpective counties by virtue of a former act of aſſembly, entitl

* 1697, ch. 5.

* An act empowering the commiſſioners of each reſpective cou to purchaſe land for uſe of their reſpective courts, &c. Lib. L No. 3. fol. 168.

Preamble.

WHEREAS at a general aſſembly, held at the port of Annapolis, the 26th day of May, thouſand ſix hundred ninety-ſeven, a certain act of aſſembly was made, entitled, An act powering the commiſſioners of each reſpective county to purchaſe lands for the uſe of their reſpec courts, which is now executed;

Purchaſes confirmed.

II. BE IT ENACTED, *by the Queen's moſt excellent majeſty, by and with the advice and conſent of majeſty's Governor, Council and Aſſembly of this province, and the authority of the ſame,* That what purch of lands the commiſſioners had made according to the ſaid act, for the uſe of the reſpective coun and recorded within the ſeveral and reſpective county courts whereunto they properly belong, be a perpetual bar againſt him, her or them, from whom the land was purchaſed, and againſt perſons claiming by, from or under him, her, them, or any of them, for ever.

Lots, &c. confirmed to the county.

III. AND BE IT FURTHER ENACTED, *by the authority aforeſaid,* That the lot whereon the co houſe of Dorcheſter now ſtands, and the tenement thereon, remain to the uſe of that county for as by the laſt paragraph of the ſaid act is more at large expreſſed.

CHAP. LXXVII.

An ACT repealing all former acts of aſſembly heretofore made, ſav what are hereby excepted. Lib. LL. No. 3. fol. 169.

Laws repealed.

BE IT ENACTED, *by the Queen's moſt excellent majeſty, by and with the advice and conſent of her ma Governor, Council and Aſſembly of this province, and the authority of the ſame,* That all and ever and acts of aſſembly of this province, made or enacted at any time before the ſeſſion of aſſembly gun and held at the port of Annapolis, the twenty-ſixth day of April, one thouſand ſeven hun and four, except the act, entitled, An act for eſtabliſhment of religious worſhip in this province, cording to the church of England, and for the maintenance of miniſters, and except the act keeping good rules and orders in the port of Annapolis, and which are not revived, ſaved, enacted this preſent ſeſſion of aſſembly, be and are hereby repealed and made void.

Rights ſaved.

II. SAVING ALWAYS, To all and every perſon or perſons, whatſoever was and is his and t rights and benefits, which he or they had by the former acts of aſſembly, any thing in this pre act contained to the contrary notwithſtanding.

CHAP. LXXVIII.

An ACT confirming to the governor of this province the duty of three-pence per ton upo burthen of ſhips and veſſels. Lib. LL. No. 3. fol. 170.

CHAP. LXXIX.

An ACT declaring an act, entitled, An act aſcertaining the bounds of land, to be in force. LL. No. 3. fol. 170.

1699, ch. 18, hereby continued to the end of the next ſeſſion.

CHAP. LXXX.

An ACT declaring the petitionary act relating to the free-ſchool, be in force. Lib. LL. No. 3. fol. 171.

Act declared in force.

BE IT ENACTED, *by the Queen's moſt excellent majeſty, by and with the advice and conſent of her ma Governor, Council and Aſſembly of this province, and the authority of the ſame,* That the petitio act of aſſembly, for founding and eſtabliſhing free-ſchools within this province, made at a ge aſſembly of this province, begun and held at Annapolis, the firſt day of July, in the year of our one thouſand ſix hundred and ninety-ſix, directed to his moſt excellent majeſty, and every bre clauſe and paragraph thereof, is hereby declared to ſtand and be in full force, power and virtu all intents, conſtructions and purpoſes whatſoever.

CH

CHAP. LXXXI.

T enabling William Sweatnam, of Talbot county, gentleman, deviſee of Richard Sweatnam, ſed, to ſell ſixteen hundred and twenty-four acres of land. Lib. LL. No. 3. fol. 172. A te Act. Paſſed 3d of October, 1704.

CHAP. LXXXII.

T for ſettling of lands on Suſanna Blaney, &c. Lib. LL. No. 3. fol. 173. A Private Act.

CHAP. LXXXIII.

T for confirming the laſt wills and teſtaments of Charles Aſhcome, late of St. Mary's county, eman, deceaſed, and of John Whinfell, of Calvert county, planter, deceaſed, and likewiſe hn Burnam, late of Talbot county, deceaſed. Lib. LL. No. 3. fol. 174. A Private Act.

CHAP. LXXXIV.

T to enable colonel Edward Dorſey to ſell ſome entailed lands and houſes in the port of An-is, for the uſe of his children. Lib. LL. No. 3. fol. 176. A Private Act.

CHAP. LXXXV.

T for naturalization of Otho Othoſon, of Cæcil county. Lib. LL. No. 3. fol. 177. A te Act.

SESSION of ASSEMBLY, begun and held at the PORT of NNAPOLIS, the 5th day of December, in the third year of reign of our Sovereign Lady ANNE, by the Grace of God, England, Scotland, France and Ireland, Queen, Defender of Faith, &c. *annoque domini* 1704, and ended the 9th day of ſame month, were enacted the laws following.

JOHN SEYMOUR, ESQUIRE, GOVERNOR.

CHAP. LXXXVI.

T for limitation of officers fees. Lib. LL. No. 3. fol. 181. Paſſed 9th of Dec. 1704.

ree years. Continued by 1708, ch. 19, 1709, ch. 15, 1711, ch. 19, and 1714, ch. 5. Expired the 10th May, 1718.

CHAP. LXXXVII.

T for the ordering and regulating the militia of this province, for the better defence and ſe-y thereof. Lib. LL. No. 3. fol. 194.

three years. Revived and continued by 1708, ch. 15, 1709, ch. 12, 1711, ch. 4, and 1714, ch. 3. Repealed 1715, ch. d 1719, ch. 16.

CHAP. LXXXVIII.

T for payment of fees due from criminal perſons. Lib. LL. No. 3. fol. 202.

CHAP. LXXXIX.

T for cauſing grand and petit jurors, and witneſſes, to come to the provincial and county s. Lib. LL. No. 3. fol. 203. Repealed 1715, ch. 49, and 1719, ch. 16.

CHAP. XC.

T for the preſervation of the ſeveral harbours and landing places within this province. Lib. No. 3. fol. 205. Repealed 1735, ch. 16.

CHAP. XCI.

T for rebuilding the ſtadt-houſe at Annapolis. Lib. LL. No. 3. fol. 207.

CHAP. XCII.

Passed 9th of Dec. 1704.

An ACT declaring the diviſions of ſeveral counties within this province, made by virtue of a former act, entitled, * An act for diviſion and regulating ſeveral counties within this province, conſtituting a county by the name of Prince-George's Cou within the ſame province, to be firm and ſtable. Lib. LL. No fol. 208.

* 1695, ch. 13.

Preamble.

WHEREAS by an act of aſſembly, made at an aſſembly held at Annapolis, the eighth May, ſixteen hundred ninety-five, entitled, An act for the regulating and diviſion of counties within this province, and conſtituting a county by the name of Prince-George's within the ſame province, which is now executed, ſeveral diviſions and partitions were mad by another act of aſſembly made the third day of April, ſixteen hundred and ninety-eight, en An act aſcertaining the bounds and limits of Anne-Arundel and Baltimore counties, ſeveral diviſions and partitions, lines and land-marks, were made, relating to the bounds of both t counties;

Diviſions confirmed.

II. BE IT ENACTED, *by the Queen's moſt excellent majeſty, by and with the advice and conſent of h jeſty's Governor, Council and Aſſembly of this province, and the authority of the ſame*, That ſuch par and diviſions, lines and land-marks, as by the directions of the ſaid act were made, ſhall remai and ſtable for ever.

Juriſdictions ſeparated.

III. AND, whereas there are ſeveral counties that are divided by navigable rivers, and yet made how far the juriſdiction of each county ſhall extend on the river, BE IT THER ENACTED, *by the authority aforeſaid*, That every county lying on any navigable river in this pr ſhall extend its juriſdiction from the ſhore to the channel of ſuch river that divides the coun be divided from the other county by the channel of the ſaid river; and that where any ſhip o ſhall ride at anchor in the channel of ſuch river, proceſs may be ſerved on board the ſaid ſ the officer of either county that can firſt ſerve it, but when moored by any hold on the land be ſuppoſed to lie in that county to whoſe ſhore ſhe is faſtened, if moored.

CHAP. XCIII.

An ACT for advancement of the natives and reſidents of this province. Lib. LL. No. 3. fo

CHAP. XCIV.

An ACT declaring ſeveral acts of aſſembly, formerly made, to be in force. Lib. LL. No. 211. Expired.

CHAP. XCV.

* 1704, ch. 59.

An ACT for ſuſpending the proſecution of any prieſts of the communion of the church of incurring the penalties of an act of aſſembly, entitled, * An act for preventing the growth o ry, by exerciſing his function in a private family of the Roman communion, but in no oth whatſoever. Lib. LL. No. 3. fol. 212.

For eighteen months. Expired.

CHAP. XCVI.

An ACT for the diviſion of St. Paul's pariſh, in Prince-George's county. Lib. LL. No. 3. fo

1. The ſaid pariſh to be divided. 2. The diviſion lines to begin with the dividing branches of Patuxent river, a with the weſtern branch, to a branch called Cabin branch, by the plantation of a certain Edward Willet, and ſo with t branch, to the head thereof; and the ſouthernmoſt part to be adjudged to be St. Paul's pariſh. 3. The ſaid St. Paul to be further bounded and divided by the ridge between Patuxent and Patowmack; and the eaſtern ſide of the ſaid r the northernmoſt part of the weſtern branch, to be adjudged a new and diſtinct pariſh, by the name of Queen-Anne with power to elect proper officers, and enjoy all the advantages, privileges and benefits of a complete and entire pariſh

CHAP. XCVII.

* 1694, ch. 8.

An ACT declaring an act, entitled, * An act for erecting Anne-Arundel and Oxford towns int and towns, formerly made, to be in force. Lib. LL. No. 3. fol. 214. Expired at the end ſeſſion after.

CHAP. XCVIII.

An ACT declaring the act, entitled, (a) An act aſcertaining the bounds of land, to be in Lib. LL. No. 3. fol. 214.

(a) Made 1699, ch. 18, hereby continued in force to the end of the next ſeſſion of aſſembly.

CH

CHAP. XCIX.

T declaring the act, entitled, (a) An act for the puniſhment of perſons ſuborning witneſſes, ommitting wilful and corrupt perjury, to be in force. Lib. LL. No. 3. fol. 215. Paſſe 9th of Dec. 1704.

Made 1692, ch. 16, hereby continued in force to the end of the next ſeſſion of aſſembly. This ſame act is alſo continued ſame time, by ch. 94, of this ſeſſion. Expired.

CHAP. C.

T declaring an act, entitled, An act for ſanctifying and keeping holy the Lord's Day, com- called Sunday, to be perpetual. Lib. LL. No. 3. fol. 215. Repealed 1723, ch. 16.

CHAP. CI.

T declaring an act, entitled, * An act concerning Indians, to be in force. Lib. LL. . fol. 216. Expired at the end of the ſeſſion after. * 1692, ch. 63.

SESSION of ASSEMBLY, begun and held at the TOWN and RT of ANNAPOLIS, in Anne-Arundel county, on the 15th, d ended the 25th day of May, 1705, and in the 4th year of Majeſty's reign, were enacted the laws following. 1705.

JOHN SEYMOUR, ESQUIRE, GOVERNOR.

CHAP. I.

T for the relief of Anne-Arundel county, and all perſons concerned in the records thereof, burned. Lib. LL. No. 3. fol. 217. Paſſed 25th of May, 1705.

he governor empowered to appoint ſeven or more commiſſioners, whereof any three or more, from time to time, to hear termine all differences, claims, &c. between any inhabitants, or other perſons, intereſted in the lands lying within the aforeſaid, &c. ſummarily, and without the formality and proceedings in courts of law, or equity, either upon the verdict ſition of jurors, teſtimony of witneſſes upon oath, examination of parties intereſted, or by all or any the ſaid ways, or ſe, according to their diſcretions. 2. The judgment or ſentence of the ſaid commiſſioners, or any three or more of o be final between the ſaid parties, their heirs, executors, adminiſtrators and aſſigns, and all claiming by, from or under c. The ſaid commiſſioners always giving timely notice, of not leſs than ſixteen days, of the time and place of their ſit- . Saving the right of all perſons under age, *non ſanæ memoriæ*, *feme-coverts*, and perſons nonreſident within this e, during ſuch time as they ſhall continue ſo, who are allowed to proſecute their claims within twelve months after ſuch y removed; and unleſs any party diſſatisfied therewith, ſhall appeal therefrom, within thirty days, to ſuch commiſſioners overnor for the time being ſhall authoriſe, not exceeding five in number, whereof the major part, if all ſuch commiſſioners two, in caſe only three meet, to determine finally thereon, without farther appeal or review. 4. For better diſcovery bles rights to lands, claimed before them, the commiſſioners are empowered to iſſue precepts to the ſheriff and ſurveyor of county, to reſurvey, and make returns to the ſaid commiſſioners, purſuant to the tenor of ſuch precepts and warrants, . The judgments and determinations made between party and party, by virtue of this act, to be recorded in a fair book s, &c. and every ſuch judgment or determination to be ſigned by three or more of the ſaid commiſſioners; which books, when perfected, to be placed and intruſted in the cuſtody of the clerk of Anne-Arundel county, among the re- the ſaid county, that all perſons concerned may repair to view the ſame, &c.

e act of 1719, ch. 16, this act is declared to have always hitherto been in as full force and effect as if the ſame had never pealed; provided no perſon concerned therewith be allowed to make their claims, by virtue thereof, after the 20th June, aving to infants, married women, perſons of unſound mind, impriſoned, or beyond ſeas, the liberty of making ſuch ims at any time within twelve months after ſuch impediment removed.

act of 1723, ch. 20, empowers the juſtices of Anne-Arundel county court to act and proceed according to the intent and of this act of 1705, ch. 1, in all matters and things therein mentioned, as if commiſſion for that purpoſe had iſſued to ccording to the directions of the ſaid act, &c.

e act of 1751, ch. 15, the ſpecial records of Anne-Arundel county, formed in purſuance of this act of 1705, ch. 1, are ed.

CHAP. II.

T empowering major Nicholas Lowe, executor of the laſt will and teſtament of William Ed- ſon, late of Dorcheſter county, deceaſed, to ſell a certain tract of land, lying in Dorcheſter y, called Richardſon's Choice, formerly purchaſed by the ſaid William Edmondſon of and one John Nichols, for payment of a debt due from the ſaid William Edmondſon to the ſaid Nichols, for the remaining part of the original purchaſe for the ſaid land. Lib. LL. No. 3. 20. A Private Act.

CHAP. III.

T confirming a certain letter of attorney from William Joſeph, Eſquire, the father, to Wil- Joſeph, his ſon. Lib. LL. No. 3. fol. 221. A Private Act.

CHAP. IV.

Paſſed 25th of May, 1705. An ACT for the exportation and baniſhment of Benjamin Cely. Lib. LL. No. 3. fol. 222.

CHAP. V.

An ACT for the outlawing of Richard Clarke, of Anne-Arundel county. Lib. LL. No. 3. fo

CHAP. VI.

An ACT for puniſhment of perſons ſelling or tranſporting any friend Indian or Indians out province. Lib. LL. No. 3. fol. 224. Repealed 1715, ch. 49, and 1719, ch. 16.

CHAP. VII.

An ACT for naturalization of Chriſtopher Dangerman, of Calvert county, ſaddler. Li No. 3. fol. 225. A Private Act.

CHAP. VIII.

* 1692, ch. 16. An ACT declaring the act, entitled, * An act for the puniſhme perſons ſuborning witneſſes, and committing wilful and co perjury, to be in force. Lib. LL. No. 3. fol. 226.

Act made perpetual. BE IT ENACTED, *by the Queen's moſt excellent majeſty, by and with the advice and conſent of her Governor, Council and Aſſembly of this province, and the authority of the ſame*, That the act of bly, entitled, An act for the puniſhment of perſons ſuborning witneſſes, or committing wil corrupt perjury, and every matter, clauſe and thing therein contained, is hereby declared to remain in full force and effect, to all intents, conſtructions and purpoſes whatſoever.

CHAP. IX.

An ACT declaring an act, entitled, (a) An act for erecting Anne-Arundel and Oxford town ports and towns, formerly made, to be in force. Lib. LL. No. 3. fol. 226.

(a) 1694, ch. 8, hereby continued in force to the end of the next ſeſſion of aſſembly.

CHAP. X.

An ACT declaring an act, entitled, (b) An act aſcertaining the bounds of land, to be i Lib. LL. No. 3. fol. 227.

(b) 1699, ch. 18, hereby continued in force to the end of the next ſeſſion of aſſembly.

CHAP. XI.

An ACT empowering a committee to lay, aſſeſs and apportion the public levy of this p for the preſent year, one thouſand ſeven hundred and five. Lib. LL. No. 3. fol. 227.

1706. At a SESSION of ASSEMBLY begun and held at the TOWN PORT of ANNAPOLIS, in the county of Anne-Arundel, o ſecond day of April, in the fifth year of the reign of our Sove Lady ANNE, Queen of England, Scotland, France and Ire Defender of the Faith, &c. *annoque domini* 1706, and ende 19th day of the ſame month, were enacted the following law

JOHN SEYMOUR, ESQUIRE, GOVERNOR.

CHAP. I.

Paſſed 19th of April, 1706. An ACT declaring an act, entitled, (c) An act aſcertaining the bounds of land, to be i Lib. LL. No. 3. fol. 231.

(c) 1699, ch. 18, hereby continued in force to the end of the next ſeſſion of aſſembly.

CHAP. II.

CT for naturalization of John Baptiſt Tyler, of Prince-George's county, planter. Lib. LL. 3. fol. 232. A Private Act. Paſſed 19th of April, 1706.

CHAP. III.

CT for the dividing and regulating ſeveral counties on the eaſtern ſhore of this province, and ſtituting a county, by the name of Queen-Anne's County, within the ſame province. Lib. LL. 3. fol. 233.

From and after the 1ſt May, 1707, the bounds of Talbot county ſhall contain Sharp's Iſland, Choptank Iſland, and all nd on the north ſide of Great Choptank river, and extend itſelf up the ſaid river to Tuckahoe bridge, and from thence a ſtreight line to the mill commonly called and known by the name of Swetnam's mill, and from thence down the ſouth f Wye river to the mouth thereof, and from thence down the bay (including Poplar Iſland) to the firſt beginning, alſo 's Iſland, in Wye river. 2. From and after the ſaid 1ſt May, 1707, the iſland called Kent Iſland, and all the land on uth ſide of Cheſter river, to a branch called Sewell's branch, and with the ſaid branch to the head thereof, and from thence an eaſt line to the extent of this province, and bounded on the ſouth with Talbot county, to Tuckahoe bridge, and from with Tuckahoe creek and Choptank river to the mouth of a branch falling into the ſaid river, called or known by the of the White Marſh Branch, and from thence, with a north-eaſt line, to the extent of this province, and bounded on the with the extreme bounds of this province, ſhall be, and is hereby conſtituted, founded and incorporated into a county of rovince, by the name of Queen-Anne's County, and to have and enjoy all rights, benefits and privileges, equal with the counties of this province, ſuch as ſending burgeſſes to the general aſſembly, having county courts, ſheriffs, juſtices, and officers and miniſters requiſite and neceſſary, and as uſed in other counties in this province. 3. From and after the ſaid 1ſt 1707, Kent county ſhall begin at the ſouth point of Eaſtern neck, and from thence run up Cheſapeake bay to Saſſafras and up the ſaid river to the ſouth end of the long Horſe bridge lying over the head of the ſaid river, and from thence with drawn eaſt and by ſouth, to the exterior bounds of this province, and with the exterior bounds of this province until it in- the line of Queen-Anne's county, and with the ſaid county down Cheſter river to Eaſtern neck, where it firſt begun, hall contain all the land within the ſaid bounds. 4. From and after the ſaid 1ſt May, 1707, Cæcil county ſhall contain all nd on the north ſide of Saſſafras river and Kent county, and ſhall be bounded on the eaſt and north with the exterior s of this province, and on the weſt with Suſquehanna river and Cheſapeake bay, and on the ſouth with Saſſafras river ent county. 5. Commiſſioners appointed to cauſe the bounds of the ſaid counties to be ſurveyed, and marked by double of marked trees, &c. 6. The ſame commiſſioners empowered to lay out and purchaſe, by agreement with the owners, or ion of a jury, two acres of land in each county, whereon to build court-houſes, &c.

CHAP. IV.

CT for erecting a pariſh on the north ſide of Elk river, in Cæcil county. Lib. LL. No. 3. 238.

m and after the 1ſt May, 1706, all that part of Cæcil county lying on the north ſide of Elk river, being bounded as fol- h, viz. Beginning at Turkey Point, on the north ſide of Elk river aforeſaid, and running with the ſaid river to Smith's t the head thereof, then eaſt to the exterior bounds of this province, and with the exterior bounds of this province to Sus- na river, thence with the eaſt ſide of the ſaid river and the bay of Cheſapeake to the firſt beginning, ſhall be conſtituted cted into a pariſh, by the name of North Elk Pariſh, and ſhall have, hold and enjoy, all privileges and advantages that id and enjoyed by other pariſhes in this province.

CHAP. V.

CT for veſting and ſettling certain lands in John Whittington, and his heirs, late the eſtate inheritance of a certain Daniel Toaes, for and towards ſatisfaction and payment of a debt due n the ſaid Toaes, and paid by the ſaid Whittington. Lib. LL. No. 3. fol. 240. A Private .

CHAP. VI.

CT to make null and void a certain deed or conveyance made by Thomas Edmondſon to Wil- n Edmondſon, and remaining upon record in Dorcheſter county court. Lib. LL. No. 3. fol. 243. rivate Act.

CHAP. VII.

CT for uniting Newport hundred, now part of King and Queen's pariſh, to William and Mary ſh, in Charles county. Lib. LL. No. 3. fol. 245. Repealed 1715, ch. 3.

CHAP. VIII.

ACT declaring ſeveral acts of Parliament, made in the kingdom f England, to be in force within this province. Lib. LL. No. 3. ol. 247.

IT ENACTED, *by the Queen's moſt excellent majeſty, by and with the advice and conſent of her majeſty's Governor, Council and Aſſembly of this province, and the authority of the ſame*, That the act of Par- nt, made at the Parliament begun and held at Weſtminſter, the nineteenth day of March, in ſt year of the reign of our late Sovereign Lord, King James the firſt, entitled, An act to re- all perſons from marriage, until their former wives and former huſbands be dead; *and the ſeveral acts of Parliament of England, mentioned in the act of Parliament made at the Parliament held at Weſt- , in the firſt year of the reign of our late Sovereign Lord and Lady, King William and Queen Mary, entitled,* Acts of parliament declared to be in force.

CHAP. VIII. *entitled, An act for exempting their majesty's protestant subjects, dissenting from the church of England, the penalties of certain laws; together with the said last mentioned act of Parliament, exempting their ma protestant subjects, dissenting from the church of England, from the penalties of the said laws,* and ever ticle, clause, matter and thing in the said acts contained, shall be, and are in full force, to all in and purposes, within this province.

The part of this act printed in italics has ceased to operate.

CHAP. IX.

Passed 19th of April, 1706. An ACT declaring an act, entitled, An act for suspending the prosecution of any priests of the munion of the church of Rome, incurring the penalties of an act of assembly, entitled, An a preventing the growth of popery, by exercising their function in a private family of the R communion, but in no other case whatsoever, to be in force. Lib. LL. No. 3. fol. 248. Exp

CHAP. X.

An ACT to prohibit the exportation of European commodities out of this province. Lib. No. 3. fol. 249. Repealed 1707, ch. 13.

CHAP. XI.

An ACT encouraging the making hemp and flax within this province. Lib. LL. No. 3. fol. 2

CHAP. XII.

An ACT to empower trustees to sell the freehold and demesne land of Abraham Naylor, l Anne-Arundel county, deceased, and apply the money to the uses mentioned in his last wil testament. Lib. LL. No. 3. fol. 253. A Private Act.

CHAP. XIII.

An ACT empowering a committee to lay, assess and apportion the public levy of this provinc this present year, one thousand seven hundred and six. Lib. LL. No. 3. fol. 255.

CHAP. XIV.

An ACT for advancement of trade, and erecting ports and towns in the province of Mary Lib. LL. No. 3. fol. 258. Dissent.

1707. **At a SESSION of ASSEMBLY, begun and held at the CITY ANNAPOLIS, in the county of Anne-Arundel, on the 2 day of March, and ended the 15th April, in the 6th year of reign of our Sovereign Lady ANNE, Queen of England, &c. *noque domini* 1707, were enacted the following laws.**

JOHN SEYMOUR, ESQUIRE, GOVERNOR.

CHAP. I.

Passed 15th of April, 1707. An ACT for the attainder of Richard Clarke, of Anne-Arundel county. Lib. LL. No. 3. fol.

CHAP. II.

An ACT to prevent the abuse of breaking open and concealing public and private letters. LL. No. 3. fol. 275. Repealed 1713, ch. 2.

CHAP. III.

An ACT for the relief of Thomas Manning, of Calvert county. Lib. LL. No. 3. fol. 279 Private Act.

CH

CHAP. IV.

ACT againſt forging and counterfeiting of foreign coins, gold or ver. Lib. LL. No. 3. fol. 281.

Paſſed 15th of April, 1707.

ASMUCH as divers evil diſpoſed perſons have of late forged and counterfeited ſeveral eign coins, commonly received amongſt her majeſty's ſubjects of this province for current in t, to the great damage of her majeſty's ſaid ſubjects, being thereunto encouraged for that there heretofore been any condign puniſhment by law provided for ſuch offenders; wherefore, and to deter ſuch like offenders for the future from ſuch evil and pernicious practices, Preamble.

E IT ENACTED, *by the Queen's moſt excellent majeſty, by and with the advice and conſent of her Governor, Council and Aſſembly, and the authority of the ſame*, That if any perſon or perſons, e publication of this act, falſely forge, counterfeit, or (a) clip, any ſuch kind of coin of gold , as is not the proper coin of the kingdom of England, or ſhall aid, aſſiſt or abett any offend- ffenders doing the ſame, either by concealing them, or by any other ways or means counte- uch offenders in their ſaid offences, every ſuch offender, his aiders, abettors and countenancers for the firſt offence ſhall be whipped, pillored, and cropped in both ears, and for the ſecond ſhall be branded on the cheek, and baniſhed, upon due conviction in any of her majeſty's f record within this province. Perſons counterfeiting to be whipped, &c.

(a) Such part of this act as relates to clipping, is repealed by 1729, ch. 2.

CHAP. V.

T for preventing the exportation of tobacco out of this province by land, before the duties le be paid, or well ſecured, to the ſeveral officers appointed or to be appointed for receiving me. Lib. LL. No. 3. fol. 282.

CHAP. VI.

T for ſuſpending, during the queen's pleaſure, the proſecution of the prieſts of the Roman union, incurring the penalties of the (a) act to prevent the growth of popery in this pro- , by exerciſing their function in a private family of the Roman communion, but in no other whatſoever. Lib. LL. No. 3. fol. 284.

(a) 1704, ch. 59, which is repealed 1718, ch. 4.

CHAP. VII.

T confirming the laſt will and teſtament of Thomas Knighton, late of Anne-Arundel county, ſed. Lib. LL. No. 3. fol. 287. A Private Act.

CHAP. VIII.

T for removing of Thomas Howel, now lying under execution for debt in the cuſtody of the f of Cæcil county, into the cuſtody of the ſheriff of Kent county. Lib. LL. No. 3. fol. A Private Act.

CHAP. IX.

T for recording in the commiſſary-general's office ſeveral copies of wills and inventories, ther proceedings of the late deputy-commiſſary of Dorcheſter county. Lib. LL. No. 3. fol.

Humphrey Hubbard, deputy-commiſſary, having taken the probat of ſeveral wills, inventories of eſtates, and accounts utors and adminiſtrators, which he (carrying over the bay to the commiſſary-general's office) loſt, by the accidental burn- his boat, and papers therein; but having copies of the ſame, which he affirmed by oath to be true, they are by this act corded, and taken and reputed as the originals, &c.

CHAP. X.

T for naturalization of John Francis Holland, of Baltimore county. Lib. LL. No. 3. fol. A Private Act.

CHAP. XI.

T explaining ſome doubtful expreſſions in the act for limitation of officers fees. Lib. LL. . fol. 295.

act was to endure ſo long as the original act of 1704, ch. 86, ſhould remain in force, and expired, together with the ſaid 10th May, 1718.

CHAP. XII.

T giving power to the farmers of the lord Baltimore's rents to recover the arrears thereof expiration of their leaſe. Lib. LL. No. 3. fol. 296. A Private Act.

CHAP.

CHAP. XIII.

Paſſed 15th of April, 1707.

An ACT repealing an act, entitled, * An act to prohibit the exportation of European commo out of this province. Lib. LL. No. 3. fol. 300.

* 1706, ch. 10.

CHAP. XIV.

An ACT to continue to the ſheriffs of Talbot, Kent, and Cæcil counties, power of executi public dues and officers fees within the preſent bounds of their ſeveral counties after th of May next till the laſt of June next after, or until their ſeveral commiſſions expire, whic firſt happen. Lib. LL. No. 3. fol. 300. Expired.

CHAP. XV.

An ACT to prevent cropping, cutting and defacing tobacco taken on board ſhips and veſſel freight. Lib. LL. No. 3. fol. 302. Diſſent.

CHAP. XVI.

* 1706, ch. 14.

A Supplementary act to the * act for advancement of trade, and erecting ports and towns. LL. No. 3. fol. 305. Diſſent.

CHAP. XVII.

An ACT for relief of debtors, and aſcertaining the manner of tenders in tobacco. Lib. LL 3. fol. 322.

To continue for three years. Revived 1710, ch. 15. Expired.

CHAP. XVIII.

An ACT for the killing of wolves and crows. Lib. LL. No. 3. fol. 326.

To continue for three years. Revived 1710, ch. 14. Expired.

CHAP. XIX.

An ACT reviving a certain act of aſſembly of this province, entitled, An act prohibiting t portation of bread, beer, flour, wheat, or other Engliſh or Indian grain, or meal, horſes, colts or fillies from Pennſylvania, and the territories thereto belonging, made at a ſeſſion of bly begun and held at the port of Annapolis, the fifth day of September 1704. Lib. LL. fol. 328.

To continue three years, &c. The original act of 1704, ch. 43, was repealed 1715, ch. 49, and 1719, ch. 16.

CHAP. XX.

An ACT reviving an (a) act for ſpeedy conveying public letters and packets of this provinc defraying the charge thereof, made at a ſeſſion of aſſembly, begun and held at the port of polis, the fifth day of September, 1704. Lib. LL. No. 3. fol. 328.

(a) 1704, ch. 45, hereby continued for three years.

CHAP. XXI.

An ACT reviving a certain act of aſſembly of this province, entitled, (b) An act of direct the ſheriff's office in this province, and for the more eaſy payment of the public and county made at a ſeſſion of aſſembly, begun and held at the port of Annapolis, the fifth day of Sept 1704. Lib. LL. No. 3. fol. 329.

(b) 1704, ch. 15, hereby continued for three years.

CHAP. XXII.

An ACT appointing court days in Queen-Anne's county. Lib. LL. No. 3. fol. 330.

CHAP. XXIII.

An ACT requiring the agents of the lord Baltimore to certify into the ſecretary's office the tions and conditions of plantations, with the fees by them demanded, and obliging his lo deputy-ſurveyors to qualify themſelves according to law. Lib. LL. No. 3. fol. 331.

CHAP. XXIV.

An ACT to empower certain perſons therein named to aſſeſs and apportion the public levy province for this preſent year of our Lord one thouſand ſeven hundred and ſeven. Lib. LL 3. fol. 333.

SESSION of ASSEMBLY, begun and held at the CITY of NAPOLIS, in the county of Anne-Arundel, the 29th day of vember, and ended the 17th day of December, in the 7th year he reign of our Sovereign Lady Queen ANNE, of Great-Britain, nce and Ireland, and the dominions and territories thereto onging, Defender of the Faith, &c. *annoque domini* 1708, were cted the laws following.

JOHN SEYMOUR, ESQUIRE, GOVERNOR.

CHAP. I.

T for relief of poor debtors and languiſhing priſoners. Lib. LL. No. 3. fol. 337. Paſſed 17th of Dec. 1708.

To en ure for three years, &c. Expired.

CHAP. II.

T empowering truſtees to ſell ſeveral parcels of land, late the eſtate and inheritance of s Stirling, deceaſed, for redemption of a mortgage made by him to John Hyde, of London, ant, for the benefit of Chriſtian Stirling, a minor. Lib. LL. No. 3. fol. 343. A Private

CHAP. III.

tional act to the ſupplementary act for advancement of trade, and erecting ports and towns province, and for ſale of ſome public lands and buildings in the town of St. Mary's, in St. s county. Lib. LL. No. 3. fol. 347. Diſſent.

CHAP. IV.

T for ſettling the rates of foreign ſilver coins within this province. Lib. LL. No. 3. fol.

CHAP. V.

T directing the manner of electing and ſummoning delegates and repreſentatives to ſerve in ding aſſemblies. Lib. LL. No. 3. fol. 354.

CHAP. VI.

T confirming the title of a certain tract of land therein mentioned to John Hyde, of the f London, merchant, and alſo confirming unto the heir at law of John Gandy, late of the ity, mariner, deceaſed, all other the lands in this province in the ſaid act mentioned. Lib. No. 3. fol. 358. A Private Act.

CHAP. VII.

ACT confirming and explaining the charter to the city of Annapolis. Lib. LL. No. 3. fol. 361.

HEREAS this preſent general aſſembly have taken into their conſideration the charter lately granted to the city of Annapolis, and being deſirous to give all due encouragement to coha- have reſolved to confirm the ſame charter; and to explain and reſtrain ſome clauſes and herein contained, they humbly pray that it may be enacted, Preamble.

ND IT IS HEREBY ENACTED, *by the Queen's moſt excellent majeſty, by and with the advice and conſent ajeſty's Governor, Council and Aſſembly of this province, and by the authority of the ſame*, That the rter to the city of Annapolis, bearing date at the ſaid city on the twenty-ſecond day of No- *anno* 1708, in the ſeventh year of her majeſty's reign, ſealed with the great ſeal of this her s province, and ſigned with the ſign manual of his excellency John Seymour, Eſquire, captain- and governor in chief thereof, incorporating the inhabitants of Annapolis into a city and rporate, and the ſeveral articles, clauſes, grants, powers, authorities and privileges therein d, ſhall, by virtue of this act, be held, taken, ſtand, remain and be firm and valid, to all Charter confirmed, &c.

CHAP. VII.

intents and purpoſes whatſoever, within the ſame charter mentioned and expreſſed, ſubject nev leſs to the ſeveral reſtrictions and explanations herein ſpecified and declared; that is to ſay, ſhall in no wiſe be intended, conſtrued, meant or taken, to infringe the liberties and privileges public, either in regard to the public lands and buildings by them heretofore purchaſed an but that the ſame ſhall be reſerved and continued for ever to the uſes and purpoſes to whic have already been allotted; and that all and every the judges and juſtices of the ſeveral court dicature which have uſually held their courts within the ſame city, in the public court-houſe t ſhall and may continue ſo to do; and the juſtices, commiſſioners and ſheriff of Anne-Arundel ſhall have, hold and exerciſe their juriſdiction, in as full and ample manner, to all intents an poſes, in the port of Annapolis, as heretofore had been uſual.

By-laws to affect the inhabitants only, &c.

III. AND BE IT FURTHER ENACTED AND DECLARED, That the by-laws to be made by the ſa poration ſhall not affect or be binding to any other the inhabitants of this province, but wh ſtrained to the inhabitants and reſidents of the ſaid city; and that the clauſe in the ſaid c empowering the corporation to ſet toll on horſes, cattle, and other commodities, to be ſold two fair days, of the firſt of May and of St. Michael the arch-angel, yearly, ſhall not in a enure, be conſtrued or extended, to empowering the corporation to aſſeſs any toll or impo cattle, goods, wares or merchandiſes whatſoever, to be ſold therein, if the goods, wares o chandiſes ſhould not amount to the value of twenty ſhillings current money, but if it exceed ſhillings value, and not above five pounds current money, then the ſum of ſix-pence ſhall be p the fee or toll thereof, and for all goods, &c. exceeding in value five pounds current money, ſhall be lawful to aſſeſs the ſum of twelve-pence current money for the fee or toll thereof, more.

Half wages allowed.

IV. AND, whereas the citizens and burgeſſes of the ſeveral boroughs in England have fo been allowed but half wages, in reſpect to the ſalary of the knights of the ſhires, BE IT THER ENACTED, That the citizens, repreſenting the city of Annapolis, ſhall only be allowed h wages to the delegates and repreſentatives, as is and ſhall be allowed to the delegates of the counties of this province, and no more.

W. Hunt qualified.

V. AND, Whereas Wornell Hunt, Eſquire, the preſent recorder of the ſaid city, is not yet fied for that truſt, by reaſon he hath not been reſident in this province during the term of three nevertheleſs the ſaid Wornell Hunt, by virtue of this act, ſhall be deemed, and is hereby q and enabled, to hold and execute the ſaid office of recorder of the city aforeſaid, any law, uſage or cuſtom to the contrary in anywiſe notwithſtanding.

Town common, &c.

VI. AND BE IT ENACTED, *by the advice and conſent aforeſaid*, That the land called the Town mon be reſerved and remain to the uſe of the proper owner or owners, unleſs the citizens ca it appear to have made ſatisfaction for the ſame, the next ſeſſion of aſſembly.

CHAP. VIII.

Paſſed 17th of Dec. 1708.

An ACT aſcertaining fees to the attornies and practitioners of the law in the courts of this pr and for levying of the ſame by way of execution. Lib. LL. No. 3. fol. 364.

For three years, &c. Continued 1712, ch. 18, for three years, &c. Repealed 1715, ch. 49, and 1719, ch. 16.

CHAP. IX.

An ACT for payment and aſſeſſment of the public charge of this province, and giving time ſheriffs to demand public dues till the firſt of March this preſent year, 1708. Lib. LL. fol. 367.

CHAP. X.

An ACT aſcertaining what damages ſhall be allowed upon proteſted bills of exchange. Li No. 3. fol. 369. Repealed 1715, ch. 49, and 1719, ch. 16.

CHAP. XI.

An ACT empowering certain truſtees to ſell a tract of land in Talbot county, called Frankf Michael's, late the eſtate and inheritance of William Harris, late of Calvert county, an the money thereby ariſing to purchaſe other lands for the uſe of Joſeph Harris and Benjami ris, ſons of the ſaid William Harris, and the heirs of their bodies, according to the direc the laſt will and teſtament of the ſaid William Harris. Lib. LL. No. 3. fol. 370. A P Act.

CH

CHAP. XII.

T for appointing court days in each reſpective county within this province. Lib. LL. No. 373. Repealed 1715, ch. 49, and 1719, ch. 16. Paſſed 17th of Dec. 1708.

CHAP. XIII.

T for confirming and making valid the laſt will and teſtament of colonel John Contee. Lib. No. 3. fol. 374. A Private Act. Repealed 1725, ch. 21.

CHAP. XIV.

T for naturalization of Benjamin Daſſour, of Anne-Arundel county, planter, Juſtus Engle-Kitchin, of the ſame, planter, and James Robert, of Calvert county, planter. Lib. LL. . fol. 376. A Private Act.

CHAP. XV.

T reviving an act of aſſembly of this province, entitled, (a) An act for the ordering and re-ng the militia of this province, for the better defence and ſecurity thereof, made at a ſeſſion embly, begun and held at the port of Annapolis, December the 6th, *anno domini* 1704. Lib. No. 3. fol. 377.

(a) 1704, ch. 87, hereby continued to the end of the next ſeſſion of aſſembly.

CHAP. XVI.

T reviving an act of aſſembly of this province, entitled, (b) An act impoſing three-pence per on rum and wine, brandy and ſpirits, and twenty ſhillings per poll for negroes, for raiſing ly to defray the public charge of this province, and twenty ſhillings per poll on Iriſh ſervants, event the importing too great a number of Iriſh papiſts into this province, made at a ſeſſion embly begun and held at the port of Annapolis, December the 5th, *anno domini* 1704. Lib. No. 3. fol. 377.

(b) 1704, ch. 33, hereby continued for three years, &c.

CHAP. XVII.

T reviving an act of aſſembly of this province, entitled, (c) An act laying an impoſition of pence per hogſhead on tobacco for defraying the public charge of the province, made at a of aſſembly begun and held at the port of Annapolis, December the 5th, *anno* 1704. Lib. No. 3. fol. 378.

(c) 1704, ch. 64, hereby continued three years, &c.

CHAP. XVIII.

T for reviving a certain (d) act of aſſembly of this province aſcertaining the height of fences, event the evil occaſioned by the multitude of horſes, and reſtraining horſe-rangers within this nce. Lib. LL. No. 3. fol. 379.

(d) 1704, ch. 41, hereby continued three years, &c.

CHAP. XIX.

T reviving an act of aſſembly of this province, entitled, (e) An act for limitation of officers made at a ſeſſion of aſſembly begun and held at the port of Annapolis December the 5th, *omini* 1704. Lib. LL. No. 3. fol. 380.

(e) 1704, ch. 86, hereby continued to the end of the next ſeſſion of aſſembly.

CHAP. XX.

T reviving an act of aſſembly of this province, entitled, (f) An act for encouragement of e, and relief of poor debtors, made at an aſſembly begun and held at the port of Annapolis, th day of September, 1704. Lib. LL. No. 3. fol. 381.

(f) 1704, ch. 28, hereby continued three years, &c.

At a SESSION of ASSEMBLY begun and held at the Cit ANNAPOLIS, in Anne-Arundel county, the 26th day of O ber, and ended the 11th day of November, in the 8th year of reign of our Sovereign Lady ANNE, Queen of Great-Br France and Ireland, and the dominions and territories th belonging, Defender of the Faith, &c. *annoque domini* 1709, enacted the following laws.

EDWARD LLOYD, ESQUIRE, PRESIDENT.

CHAP. I.

Paſſed 11th of Nov. 1709. An ACT confirming, and making good and valid in law, a certain leaſe, or deed of demiſe, between Robert Smith, late of Talbot county, Eſquire, deceaſed, and Matthew Maſon, ſame county, planter. Lib. LL. No. 3. fol. 383. A Private Act.

CHAP. II.

An ACT confirming, and making good and effectual in law, a certain deed or releaſe made by nah Tracey, wife of Thomas Tracey, late of Anne-Arundel county, carpenter, to James of the ſame county, gentleman. Lib. LL. No. 3. fol. 384. A Private Act.

Another act 1711, ch. 40.

CHAP. III.

An ACT appointing how long ſuſpected runaways ſhall lie in priſon, and for the diſcharge of Harry, late a priſoner in Somerſet county. Lib. LL. No. 3. fol. 385.

CHAP. IV.

An ACT confirming the title of the lands therein mentioned unto colonel William Holland, R Harriſon, and Samuel Chew. Lib. LL. No. 3. fol. 387. A Private Act.

Another act, 1711, ch. 7.

CHAP. V.

An ACT empowering Thomas Edmondſon, of Talbot county, ſurviving executor of his fath Edmondſon, to ſell and diſpoſe of the lands by the ſaid John Edmondſon left for payment debts. Lib. LL. No. 3. fol. 388. A Private Act.

CHAP. VI.

An ACT to reform the ill practice of high ſheriffs within this province. Lib. LL. No. 3. fo Repealed 1713, ch. 1, and 1719, ch. 16.

CHAP. VII.

An ACT for the removing John Edgerton, late of St. Mary's county, planter, now lying und ecution for debt in the cuſtody of the ſheriff of Calvert county. Lib. LL. No. 3. fol. 39 Private Act.

CHAP. VIII.

An ACT for relief of Tobias Pollard and John Pollard, of Dorcheſter county, gentlemen. Lib No. 3. fol. 391. A Private Act.

See the act of 1711, ch. 14.

CHAP. IX.

An ACT ſuſpending the execution of an act of aſſembly, entitled, (a) An act for the relief o debtors and languiſhing priſoners. Lib. LL. No. 3. fol. 392.

(a) 1708, ch. 1, which was made for three years.

CHAP. X.

An ACT for the naturalization of Daniel Pacquet, of Anne-Arundel county, labourer. Lib No. 3. fol. 392. A Private Act.

CH

CHAP. XI.

CT to allow the importation of bread, flour and Indian corn, from the end of this ſeſſion of nbly to the end of the next ſeſſion. Lib. LL. No. 3. fol. 393. Expired. Paſſed 11th of Nov. 1709.

CHAP. XII.

CT reviving and continuing an act of aſſembly of this province, entitled (a) An act for the ring and regulating the militia of this province, for the better ſecurity and defence thereof, for ſupplying ſome defects therein. Lib. LL. No. 3. fol. 393.

(a) 1704, ch. 87, hereby continued two years.

CHAP. XIII.

CT reviving and continuing of all proceſs and proceedings in St. Mary's county court, Dorter county court, Baltimore county court, from the firſt and ſecond Tueſdays of November, 9, to the laſt Tueſday of the ſame month. Lib. LL. No. 3. fol. 394.

CHAP. XIV.

CT to repeal a certain clauſe of one act, entitled, (b) An act aſcertaining fees to attornies practitioners of the law in the courts of this province, and for levying the ſame by way of cution. Lib. LL. No. 3. fol. 395.

(b) 1708, ch. 8, which is repealed.

CHAP. XV.

CT reviving an act, entitled, (c) An act for limitation of officers fees. Lib. LL. No. 3. 395.

(c) 1704, ch. 86, hereby continued for two years.

a SESSION of ASSEMBLY, begun and held at the City of ANNAPOLIS, in the county of Anne-Arundel, the 24th day of October, and ended the 4th day of November, in the 9th year of the reign of our Sovereign Lady ANNE, Queen of Great-Britain, France and Ireland, and the dominions and territories thereto belonging, Defender of the Faith, &c. *annoque domini* 1710, were nacted the laws following. 1710.

EDWARD LLOYD, ESQUIRE, PRESIDENT.

CHAP. I.

CT relieving the inhabitants of this province from ſome aggrievances they lie under. Lib. LL. . 3. fol. 397. Paſſed 4th of Nov. 1710.

For three years. Expired.

CHAP. II.

CT for the more ſpeedy conveying of public letters and packets of this province, and defraying the charge thereof, and for repealing a former law of this province, entitled, * An act for the re ſpeedy conveying public letters and packets of this province, and defraying the charge there- Lib. LL. No. 3. fol. 399. * 1704, ch. 45.

For three years. Expired.

CHAP. III.

CT for ſecuring perſons rights to town lands. Lib. LL. No. 3. fol. 401. Repealed 1715, 49, and 1719, ch. 16.

CHAP.

CHAP. IV.

Passed 4th of Nov. 1710.

An ACT empowering certain truſtees to ſell and value a certain tract of land, lying in Dorch county, called Richardſon's Choice, formerly the land of John Nichols, and by him ſold to Wi Edmondſon. Lib. LL. No. 3. fol. 402. A Private Act.

See 1705, ch. 2.

CHAP. V.

An ACT for the building a court-houſe for Talbot county, at Armſtrong's old fields, near bridge. Lib. LL. No. 3. fol. 403.

CHAP. VI.

An ACT continuing St. Mary's county court at the new court-houſe built at Seymour-town, o wiſe Sheppard old fields. Lib. LL. No. 3. fol. 404.

CHAP. VII.

An ACT for continuing the county court of Queen-Anne's county at Queen's-town, where court-houſe now ſtands. Lib. LL. No. 3. fol. 405.

CHAP. VIII.

An ACT confirming the laſt will and teſtament of Richard Bridges, late of Talbot county, dece Lib. LL. No. 3. fol. 405. A Private Act.

CHAP. IX.

An ACT for the ſale of Talbot county old court-houſe and priſon, and land thereto belon Lib. LL. No. 3. fol. 405.

CHAP. X.

An ACT for the payment and aſſeſſment of the public charge of this province. Lib. LL. N fol. 406.

CHAP. XI.

An ACT reviving an act, entitled, (a) An act prohibiting the importation of bread, beer, malt, wheat, or other Engliſh or Indian grain or meal, horſes, mares, colts or fillies, from P ſylvania, and the territories thereunto belonging. Lib. LL. No. 3. fol. 406.

(a) 1704, ch. 43, hereby continued for three years.

CHAP. XII.

An ACT for confirmation of the laſt will and teſtament of William Dixon, late of Talbot co glover, deceaſed. Lib. LL. No. 3. fol. 407. A Private Act.

CHAP. XIII.

An ACT reviving an act, entitled, (b) An act for killing wolves and crows. Lib. LL. N fol. 407.

(b) 1707, ch. 18, hereby continued three years.

CHAP. XIV.

An ACT reviving an act, entitled, (c) An act for relief of poor debtors, and aſcertaining the ner of tenders in tobacco. Lib. LL. No. 3. fol. 408.

(c) 1707, ch. 17, hereby continued three years.

CHAP. XV.

An ACT reviving an act, entitled, (d) An act of directions for the ſheriff's office in this prov and for the more eaſy payment of the public and county levy. Lib. LL. No. 3. fol. 408.

(d) 1704, ch. 15, hereby continued three years.

CHAP. XVI.

An ACT for the naturalization of Chriſtian Swormſtead, of Calvert county, chirurgeon. Lib No. 3. fol. 408. A Private Act.

a SESSION of ASSEMBLY, begun and held at the City of NNAPOLIS, in the county of Anne-Arundel, the 23d day of ctober, and ended the 3d day of November, in the tenth year of e reign of our Sovereign Lady ANNE, Queen of Great-Britain, rance and Ireland, Defender of the Faith, &c. *annoque domini* 711, were enacted the following laws.

EDWARD LLOYD, ESQUIRE, PRESIDENT.

CHAP. I.

ACT to empower commiſſioners to appoint and cauſe to be laid t three thouſand acres of land on Broad creek, in Somerſet coun-, for the uſe of the Nanticoke Indians, ſo long as they ſhall oc-py the ſame. Lib. LL. No. 4. fol. 1.

Paſſed 3d of Nov. 1711.

Preamble.

HEREAS it is repreſented to this preſent general aſſembly, that the land formerly laid out for the uſe of the Nanticoke Indians is now much worn out, and not ſufficient for them, and is thought adviſeable that ſome further proviſion be made for them,

Land to be laid out, &c.

BE IT ENACTED, *by the Queen's moſt excellent majeſty, by and with the advice and conſent of her s Preſident, Council and Aſſembly of this province, and the authority of the ſame*, That lieutenant-George Gale, Mr. Samuel Worthington, captain Charles Ballard, and Mr. Benjamin Wales, are hereby appointed commiſſioners, to cauſe three thouſand acres of land to be laid out where d Indians are now ſettled, in Somerſet county, on Broad creek, in Nanticoke river, and the o appoint to the uſe of the ſaid Indians for ſo long as they ſhall occupy the ſame; and further, e ſuch land to be valued in ſuch manner as is herein after expreſſed; that is to ſay, the ſaid ſſioners, or any three of them, ſhall, ſome time before the twenty-fifth day of March next, gether, and make out their warrant to the ſheriff of Somerſet county, which ſaid ſheriff is required, upon receipt of ſuch warrant, to impannel and return a jury of the moſt ſubſtantial ders of the ſaid county, to be and appear before the ſaid commiſſioners upon the ſaid land, at e in ſuch warrant appointed; which jury, upon their oaths, to be to them adminiſtered by the mmiſſioners, or any three of them, ſhall inquire, aſſeſs and return what damages and recom-they ſhall think fit to be awarded to the owners of ſuch land, and all perſons intereſted therein, ing to their ſeveral and reſpective intereſts; and what ſum of tobacco the ſaid jury ſhall adjudge d land to be worth, ſhall be paid to the owners, and all perſons intereſted therein, by the pub-his province.

To be marked on trees, &c.

AND, To the end that the bounds of the ſaid land may be aſcertained, and the commiſſioners id, and jury, the better enabled to judge of the true value thereof, the ſaid commiſſioners are empowered to employ the ſurveyor of the county aforeſaid, or ſome other ſkilful perſon, in reſence to ſurvey, lay out and bound the ſame; which ſaid lines, ſo as aforeſaid laid out, ſhall ked on trees, or other land-marks, to perpetuate the bounds thereof; the ſaid commiſſioners rn fair certificates of their proceedings to the clerks of the provincial court, and Somerſet court, for the time being, to be by them recorded in the ſaid reſpective courts.

And remain o the Indians, &c.

AND BE IT ENACTED, *by the authority aforeſaid*, That when ſuch land is laid out and paid for public as aforeſaid, the property thereof ſhall, by virtue of this act, be veſted in the honourable Thomas Ennalls, and lieutenant-colonel George Gale, and their heirs, to and for the uſe of d Indians, ſo long as they ſhall occupy the ſame, and afterwards ſhall be diſpoſed of as the ge-ſſembly of this province ſhall direct.

Heirs barred.

AND, That ſuch laying out and payment as aforeſaid, and this act, ſhall for ever bar the heir s at law, or his or their aſſigns, or any other perſons whatſoever, of the reverſion or remainder, right,

CHAP. I. right, claim or demand whatſoever, of, in or to the ſaid land, or any part or parcel thereof, law, ſtatute, uſage or cuſtom to the contrary notwithſtanding.

CHAP. II.

Paſſed 3d of Nov. 1711. An ACT empowering Thomas Edmondſon, of Talbot county, ſurviving executor of his father Edmondſon, to ſell and diſpoſe of the lands by the ſaid John Edmonſon left for the payment debts. Lib. LL. No. 4. fol. 3. A Private Act.

CHAP. III.

An ACT to reform the ill practices of high ſheriffs within this province. Lib. LL. No. 4. fol.

For three years. Expired.

CHAP. IV.

An ACT reviving and continuing an act of aſſembly of this province, entitled, (a) An act fo ordering and regulating the militia of this province, for the better ſecurity and defence th and for ſupplying ſome defects therein. Lib. LL. No. 4. fol. 6.

(a) 1704, ch. 87, hereby continued to the end of the firſt ſeſſion of aſſembly after the arrival of a governor.

CHAP. V.

An ACT for aſcertaining the gauge of tobacco hogſheads, and to prevent cropping, cutting an facing tobacco taken on board ſhips and veſſels upon freight. Lib. LL. No. 4. fol. 7.

To be in force till the 10th December, 1715. Expired.

CHAP. VI.

An ACT for the relief of John Clements, of Talbot county, ſon of John Clements, late of T county, and legatee of Anne, the daughter of the ſaid John Clements, the elder, and the ch of Thomas Clements and Mary Inchbud, being all the legal repreſentatives of the ſaid John ments, the elder. Lib. LL. No. 4. fol. 10. A Private Act.

CHAP. VII.

An ACT confirming the title of land therein mentioned unto colonel William Holland, Richard riſon and Samuel Chew. Lib. LL. No. 4. fol. 12. A Private Act.

See the act of 1709, ch. 4.

CHAP. VIII.

An ACT for the naturalization of David Pagett, of Queen-Anne's county, planter, and M his wife, and their children. Lib. LL. No. 4. fol. 13. A Private Act.

CHAP. IX.

An ACT to inveſt two tracts of land in Richard Bennet, Eſquire, late the land of John Howe ceaſed. Lib. LL. No. 4. fol. 14. A Private Act.

CHAP. X

An ACT confirming, and making good and effectual in law a certain deed or releaſe made by S nah Tracey, wife of Thomas Tracey, late of Anne-Arundel county, carpenter, to James H of Queen-Anne's county, gentleman. Lib. LL. No. 4. fol. 16. A Private Act.

An act was paſſed to the ſame purpoſe 1709, ch. 2.

CHAP. XI.

An ACT confirming to major John Hawkins and Henry Wright, of Queen-Anne's county, c lands therein mentioned. Lib. LL. No. 4. fol. 17. A Private Act.

CHAP. XII.

An ACT for ſettling and veſting an eſtate of inheritance in fee-ſimple of and in one hundre fifty acres of land, lying in Calvert county, on William Hickman, of Calvert county, c ter, ſon and heir of William Hickman, deceaſed, and by the ſaid Hickman the father purcha and from a certain Thomas Hinton. Lib. LL. No. 4. fol. 19. A Private Act.

CHAP. XIII.

An ACT empowering Robert Roberts, of Queen-Anne's county, to ſell part of a tract of land in Cæcil county, called New Munſter, late the land of John Toas, for the uſes therein men and to make good and valid ſuch ſale. Lib. LL. No. 4. fol. 20. A Private Act.

CH

CHAP. XIV.

T for the relief of Tobias Pollard and John Pollard, of Dorcheſter county, gentlemen. Lib. No. 4. fol. 21. A Private Act. Paſſed 3d of Nov. 1711.

See the act of 1709, ch. 8.

CHAP. XV.

CT to rectify a miſtake in the writing of the laſt will and teſtament of the reverend John Ed- s, late of Baltimore county, deceaſed, and for ſettling an eſtate of inheritance in fee-ſimple ohn Stoakes, the deviſee in the ſaid will named. Lib. LL. No. 4. fol. 22. A Private Act.

CHAP. XVI.

CT appointing how long ſuſpected runaways ſhall lie in priſon. Lib. LL. No. 4. fol. 23.

CHAP. XVII.

CT for payment and aſſeſſment of the public charge of this province. Lib. LL. No. 4. fol. 24.

CHAP. XVIII.

CT to revive, continue and make good and valid in law, all proceſs and proceedings in St. y's county court, from the eighth day of June this preſent year, to the firſt Tueſday of No- ber next enſuing. Lib. LL. No. 4. fol. 25.

CHAP. XIX.

CT reviving an act, entitled, (a) An act for limitation of officers fees. Lib. LL. No. 4. 5.

(a) 1704, ch. 86, continued three years, &c.

CHAP. XX.

CT for the naturalization of Peter Saunders, of Talbot county, planter, and his children, hen Raſhoon, of the ſame county, planter, and his children, and William Cody, of Charles ty, tailor, and his children. Lib. LL. No. 4. fol. 26. A Private Act.

SESSION of ASSEMBLY, begun and held at the CITY of ANAPOLIS, in the county of Anne-Arundel, the 28th day of ctober, and ended the 15th day of November, in the 11th year the reign of our Sovereign Lady ANNE, Queen of Great-Britain, rance and Ireland, Defender of the Faith, &c. *annoque domini* 712, were enacted the following laws. 1712.

EDWARD LLOYD, ESQUIRE, PRESIDENT.

CHAP. I.

CT for relieving the inhabitants of this province from ſome aggrievances in the proſecution of s at law. Lib. LL. No. 4. fol. 29. Paſſed 15th of Nov. 1712.

To be in force till the end of the firſt ſeſſion of aſſembly after the arrival of a governor. Expired.

CHAP. II.

CT making valid and effectual in law a deed of bargain and ſale made by colonel Ninian Beale, rince-George's county, to Michael Aſhford, late of the ſame county. Lib. LL. No. 4. fol. 32. rivate Act.

CHAP. III.

CT reſtraining the inhabitants of this province from ſelling any quantities of ſtrong liquors to Indians, and to prevent ſpreading falſe rumours, inciting differences between them and her ſty's ſubjects of this province. Lib. LL. No. 4. fol. 34.

CHAP. IV.

Passed 15th of Nov. 1712. An ACT to redreſs the great evil accruing to this province by the multiplicity of uſeleſs-h mares and colts, that run in the woods. Lib. LL. No. 4. fol. 35.

For three years. Expired.

CHAP. V.

An ACT for regulating writs of error, and granting appeals from and to the courts of commo in this province. Lib. LL. No. 4. fol. 37. Repealed 1713, ch. 4.

CHAP. VI.

* 1704, ch. 60. A Supplementary act to the * act of aſſembly of this province for the puniſhing the offenc adultery and fornication. Lib. LL. No. 4. fol. 39.

CHAP. VII.

A Supplementary act to the (a) Act for ſtay of execution after the tenth of May yearly. Lib. No. 4. fol. 41.

(a) 1704, ch. 49, which was repealed, and a new law, including both, made 1715, ch. 33, which was repealed 1791, c

CHAP. VIII.

An ACT for the payment and aſſeſſment of the public charge of this province. Lib. LL. N fol. 42.

CHAP. IX.

An ACT confirming the probat of the will of John Harriſon, late of Charles county, dece Lib. LL. No. 4. fol. 43. A Private Act.

CHAP. X.

An ACT reſtraining victuallers, and keepers of public houſes, from entertaining ſailors, to the judice of trade and commerce. Lib. LL. No. 4. fol. 44. Repealed March, 1780, ch. 24.

CHAP. XI.

An ACT againſt ſtriking ſundry ſorts of fiſh within the precincts of this province. Lib. LL. N fol. 45. Repealed 1716, ch. 7.

CHAP. XII.

An ACT for killing ſquirrels. Lib. LL. No. 4. fol. 47. Repealed 1713, ch. 13.

CHAP. XIII.

An ACT for confirming unto Francis Sherwood, and his heirs, an eſtate in fee-ſimple, of, i unto certain lands deviſed him by his father. Lib. LL. No. 4. fol. 48. A Private Act.

CHAP. XIV.

An ACT reviving an act of aſſembly of this province, entitled, (b) An act laying an impoſiti three-pence per hogſhead on tobacco, for defraying the public charge of this province. Lib. No. 4. fol. 49.

(b) 1704, ch. 64, hereby continued for three years.

CHAP. XV.

* 1704, ch. 61. A Supplement to the * act for appointment of conſtables, and what relates to their office, and a taining what perſons are taxables. Lib. LL. No. 4. fol. 49.

CHAP. XVI.

An ACT confirming and making good and valid in law a certain deed of bargain and ſale mad Edward Hancox, deceaſed, to Thomas Johnſon, of Liverpool, Eſquire. Lib. LL. No. 4. fo A Private Act.

CHAP. XVII.

An ACT for the naturalization of Samuel Guichard, of Anne-Arundel county, planter. Lib. No. 4. fol. 51. A Private Act.

CHAP. XVIII.

An ACT reviving a certain act of aſſembly of this province, entitled, (c) An act aſcertaining to the attornies and practitioners of the law in the courts of this province, and for levying ſame by way of execution. Lib. LL. No. 4. fol. 52.

(c) 1708, ch. 8, hereby continued three years.

CHAP. XIX.

An ACT for ſettling Baltimore county court at the new court-houſe at Joppa. Lib. LL. N fol. 52.

1. It being enacted by the ſupplementary act for the advancement of trade, 1707, ch. 16, that the place appointed for on Gunpowder river, on a tract of land called Forſter's neck, ſhould be deſerted, and, in lieu thereof, fifty acres of la

on the ſaid river, belonging to Anne Felks, called Taylor's Choice, ſhould be erected into a town, and the court-houſe of ſaid county ſhould be built there; and no other proviſion being made for building the ſaid court-houſe than what was con- d in the ſaid act, which is not now in force; and the commiſſioners of the ſaid county having proceeded towards building e ſaid court-houſe, according to the ſaid act, before the diſſent of her majeſty to the ſaid act was known, and ſince that time nearly finiſhed the ſame; it is therefore enacted, 2. That Baltimore county court ſhall be from henceforth held at the ſaid now built at the ſaid town of Joppa, and not elſewhere; and that the ſame houſe be, to all intents, conſtructions and pur- , adjudged, uſed, reputed and taken as the proper court-houſe of Baltimore county; and 3. That all thoſe lots of land laid y virtue of the ſaid act, for towns, for the public uſe, ſhall be, and is hereby declared to be and remain, to and for the ſame and intents the ſame was at firſt laid out for.

CHAP. XX.

CT for inveſting Margaret, the wife of Thomas Hollingſworth, and Katherine Wells, daugh- s of Zorobabel Wells, with as ample an eſtate of joint tenancy, in fee-ſimple, of, in and unto tain lands deviſed them by their father, as if the ſame had been expreſsly ſo deviſed them by will. Lib. LL. No. 4. fol. 54. A Private Act. Paſſed 15th of Nov. 1712.

CHAP. XXI.

CT to confirm the laſt will and teſtament of John Courts, late of Charles county, Eſquire, eaſed. Lib. LL. No. 4. fol. 55. A Private Act.

CHAP. XXII.

CT reviving an act of aſſembly of this province, entitled, (a) An act impoſing three-pence per on on rum and wine, brandy and ſpirits, and twenty ſhillings per poll for negroes, for raiſing a ply to defray the public charge of this province, and twenty ſhillings per poll on Iriſh ſervants, prevent the importing too great a number of Iriſh papiſts into this province. Lib. LL. No. 4. 59.

(a) 1704, ch. 33, hereby continued three years.

CHAP. XXIII.

CT prohibiting the exportation of the hides of neat cattle, whether tanned or untanned, and iron, out of this province. Lib. LL. No. 4. fol. 60.

CHAP. XXIV.

CT for naturalization of Peter Owerard, of the city of Annapolis, ſaddler, Daniel Packet, Anne-Arundel county, labourer, Joſeph Criſmand, of Charles county, planter, and Ambroſe lſon, of Baltimore county, planter. Lib. LL. No. 4. fol. 60. A Private Act.

CHAP. XXV.

CT reviving an act of aſſembly of this province, entitled, (b) An act for encouragement of age, and relief of poor debtors. Lib. LL. No. 4. fol. 61.

(b) 1704, ch. 28, hereby continued three years.

CHAP. XXVI.

CT reviving an act of aſſembly of this province, entitled, (c) An act aſcertaining the height fences, to prevent the evil occaſioned by the multitude of horſes, and reſtraining horſe-rangers hin this province. Lib. LL. No. 4. fol. 62.

(c) 1704, ch. 41, hereby continued three years.

a SESSION of ASSEMBLY, begun and held at the CITY of 1713. NNAPOLIS, in the county of Anne-Arundel, the 27th day of October, and ended the 14th day of November, in the 12th year f the reign of our Sovereign Lady ANNE, Queen of Great-Britain, rance and Ireland, Defender of the Faith, &c. *annoque domini* 713, were enacted the laws following.

EDWARD LLOYD, ESQUIRE, PRESIDENT.

CHAP. I.

CT of directions for the ſheriff's office in this province, and for the more eaſy payment of the lic and county levy. Lib. LL. No. 4. fol. 65. Repealed 1715, ch. 46, and 1719, ch. 16. Paſſed 14th of Nov. 1713.

This act repeals 1709, ch. 6.

CHAP. II.

Paſſed 14th of Nov. 1713.

An ACT for the more ſpeedy conveying public letters and pack of this province, and defraying the charge thereof, and to prev the abuſes of breaking open and concealing any letters whatſoev Lib. LL. No. 4. fol. 71.

The firſt ſeven clauſes of this act have ceaſed to operate ſince the paſſage of the act of 1790, ch. 51, and are therefore om The 8th and 9th clauſes are inſerted, on a preſumption that they may ſtill be in force, and the 10th as repealing a former a

Perſons breaking open private letters to be impriſoned, &c.

VIII. BE IT ENACTED, *by the authority, advice and conſent aforeſaid*, That if any perſon or pe whatſoever ſhall hereafter preſume to take and break open the ſeal or ſeals of any letter or le whatſoever, not being unto him or them directed, or not having eſpecial licence from the perſo whom the ſame are directed, their executors or adminiſtrators, ſo to do, ſhall, upon due convi thereof, either in the provincial or county courts of this province, ſuffer impriſonment of his or their bodies, for and during the ſpace of ſix days, without bail or mainpriſe, and forfeit the of five pounds ſterling, the one moiety to her majeſty, her heirs and ſucceſſors, for the ſuppo government, the other moiety to him or them that ſhall inform, or ſue for the ſame, to be recov in any court of record within this province, by action of debt, bill, plaint or information, wh no eſſoin, protection or wager of law to be allowed.

Penalty for breaking open public letters.

IX. AND, In caſe any perſon or perſons ſhall break open any letter or letters directed to hi cellency, her majeſty's governor, or any of her majeſty's council of this province, for the tim ing, or other public letter ſuperſcribed or directed for her majeſty's ſervice, and ſigned by any pe having authority ſo to do, and ſhall be thereof legally convict, he, ſhe or they, ſo offending, ſuffer two months impriſonment, without bail or mainpriſe, and forfeit to our ſovereign lad queen, her heirs and ſucceſſors, the ſum of twenty pounds ſterling, to be recovered and divid aforeſaid.

An act repealed.

X. AND BE IT FURTHER ENACTED, *by the authority, advice and conſent aforeſaid*, That one act o ſembly of this province, made at a ſeſſion of aſſembly, begun and held at the port of Annapoli twenty-ſixth day of March, *anno domini* ſeventeen hundred and ſeven, entitled, An act to pre the abuſe of breaking open and concealing public and private letters, and every article, clauſe thing therein contained, be and is hereby repealed, and made null and void.

CHAP. III.

An ACT for relief of debtors, and aſcertaining the manner of tenders in tobacco. Lib. LL. 4. fol. 75.

CHAP. IV.

An ACT for regulating writs of error, and granting appeals fr and to the courts of common law within this province. Lib. L No. 4. fol. 77.

Preamble.

FORASMUCH as the liberty of appeals, and writs of error, from the judgment of the provi and county courts of this province, is found to be of great uſe and benefit to the good o people thereof;

No execution to be ſtayed, &c.

II. BE IT THEREFORE ENACTED, *by the Queen's moſt excellent majeſty, by and with the advice and c of her majeſty's Preſident, Council and Aſſembly of this province, and the authority of the ſame*, That no cution upon any judgment obtained either in the provincial or county courts, or other inferior c of record within this province, ſhall be ſtayed or delayed, or any *ſuperſedeas* upon ſuch judg granted, or iſſued forth, upon any appeal or writ of error from any ſuch court or courts of reco aforeſaid to the court before whom ſuch appeal ought to be brought, or before whom ſuch wr error ought to be heard and determined, unleſs ſuch perſon or perſons in whoſe name ſuch appe writ of error ſhall be made or brought as aforeſaid, or ſome other in his, her or their behalf, immediately upon making ſuch appeal, or ſuing out ſuch writ of error as aforeſaid, enter into b with ſufficient ſureties, (ſuch as the juſtices of the court by whom judgment ſhall be given as a ſaid, or the keeper of the ſeal for the time being, to whom application ſhall be made for ſuch wr error as aforeſaid, ſhall approve of,) in double the ſum recovered by ſuch judgment obtained as a ſaid, with condition, "That if the party appellant, or party ſuing out ſuch writ of error as a

all not purſue the directions of this act hereafter mentioned, at the next court enſuing, be-
hom ſuch appeal or writ of error ought to be tried as aforeſaid, and proſecute the ſame writ
fect, and alſo ſatisfy and pay to the ſaid party, his executors, adminiſtrators or aſſigns, in caſe
judgment ſhall be affirmed, as well all and ſingular the debts, damages and coſts adjudged by
rt before whom ſuch action was firſt brought, and from whoſe judgment ſuch appeal ſhall be
or thereon a writ of error brought as aforeſaid, as alſo all coſts and damages that ſhall be
d by the court before whom ſuch appeal or writ of error ſhall be heard, tried and determined
eſaid, then the ſaid bond to be and remain in full force and virtue, otherwiſe of no effect."

Certain perſons to have no appeal, &c.

AND BE IT ENACTED, *by the authority aforeſaid, by and with the advice and conſent aforeſaid*, That
ſon or perſons whatſoever, againſt whom any judgment ſhall be given in any county court of
ovince, wherein the debt or damages for which ſuch judgment ſhall be given ſhall have any ap-
writ of error from the ſaid county courts, or other inferior courts of record, to the provincial
wherein the debt or damages recovered do not amount to the ſum of *ſix pounds ſterling*, or *twelve*
pounds of tobacco; and that no perſon or perſons whatſoever, againſt whom any judgment ſhall
n in the provincial court of this province, wherein the debt or damages recovered do not ex-
he ſum of *fifty pounds ſterling*, or ten thouſand pounds of tobacco, ſhall be allowed any appeal,
t of error, to the *governor and council of this province*; but the judgment of the juſtices of the
ourts by whom ſuch judgment ſhall be given as aforeſaid, and thereupon entered, ſhall be de-
for any ſuch debt or damages as aforeſaid, any law, uſage or cuſtom, to the contrary not-
nding. (a)

(a) This ſection is not now in force. By 1785, ch. 87, ſec. 6, the party aggrieved may appeal from the judgment of a county in any civil ſuit or any proſecution for the recovery of any penalty, fine or damages, to the general court. An appeal lies judgment of the general court to the court of appeals, without any limitation as to the ſum.

Method of proſecuting appeals, &c.

AND BE IT FURTHER ENACTED, *by the authority, advice and conſent aforeſaid*, That the method
le of the proſecution of appeals and writs of error ſhall, for the future, be in manner and form
erein after mentioned and expreſſed; that is to ſay, the party appealing, or ſuing out ſuch
f error as aforeſaid, ſhall procure a tranſcript of the full proceedings of the ſaid court from
e ſuch appeals ſhall be made, or againſt whoſe judgment the writ of error ſhall be brought as
id, under the hand of the clerk of the ſaid court, and ſeal thereof, and ſhall cauſe the ſame
ranſmitted to the court before whom ſuch appeal or writ of error is or ought to be heard, tried
termined as aforeſaid, and alſo in the ſame court file, in writing, according to the rule of the
ourt, ſuch error in the proceedings as the plaintiff in the writ of error ſhall think fit to aſſign,
cauſes or reaſons as he or they had for making the ſaid appeal, or ſuing out ſuch writ of er-
aforeſaid, upon which tranſcript the ſaid court to whom ſuch appeal ſhall be made, or before
ſuch writ of error ſhall be brought as aforeſaid, ſhall proceed to give judgment.

Appeals made to be admitted.

AND BE IT FURTHER ENACTED, *by the authority, advice and conſent aforeſaid*, That all appeals
n manner aforeſaid ſhall be admitted and allowed by the ſuperior courts to whom ſuch appeal
e made as aforeſaid, in nature of a writ of error, and that every clerk of a court ſhall, at the
f the ſitting of any court to which they reſpectively belong, and when any appeal ſhall be de-
d, to enter a memorandum of ſuch demand, as well in his or their court's proceedings, as in
r records of the proceedings of ſuch court; and that no clerk of a court do refuſe or delay,
requeſt of any appellant as aforeſaid, to write and make out a tranſcript of the whole proceed-
aforeſaid, under his hand, and the ſeal of the court as aforeſaid, upon penalty to pay the re-
e damages which ſuch appellant ſhall ſuſtain by ſuch refuſal or delay as aforeſaid, the ſaid
paying, or ſecuring to be paid, ſuch reſpective clerk his juſt fees for the ſame, according to

And may be heard.

AND BE IT FURTHER ENACTED, *by the authority, advice and conſent aforeſaid*, That all appeals
s of error already made and brought, or hereafter to be made or brought, before the governor
uncil, ſhall and may be heard by the ſaid governor and council, out of aſſembly time, any
n the ſame writ, any other former law or practice to the contrary notwithſtanding. (b)

(b) This ſection, and the ſucceeding one, have ceaſed to operate ſince the eſtabliſhment of the preſent conſtitution.

Council may determine.

AND, for that it may ſo happen, that the governor of this province for the time being may
ter be concerned in an appeal made, or writ of error brought, from the judgment of the pro-
court to the governor and council aforeſaid, or be otherwiſe indiſpoſed, or abſent, BE IT
FORE ENACTED, *by the authority, advice and conſent aforeſaid*, That it ſhall and may be ſufficient,
y ſuch caſe, for the council only to hear and determine ſuch matters of controverſy, whereof
t of the council in commiſſion being then preſent ſhall preſide, whoſe judgment thereupon ſhall
be

CHAP. IV. be definitive, in as full and ample manner as if the ſaid governor were then actually preſent and ſiding, any thing in this act to the contrary notwithſtanding.

An act repealed. VIII. AND BE IT FURTHER ENACTED, *by the authority, advice and conſent aforeſaid*, That an act aſſembly of this province, entitled, An act for regulating writs of error, and granting appeals and to the courts of common law within this province, made at a ſeſſion of aſſembly, begun and at the city of Annapolis the twenty-eighth day of October, and ended November the fifteenth the eleventh year of the reign of our ſovereign lady queen Anne, *anno domini* ſeventeen hundred twelve, is hereby utterly repealed and made void, any thing in the ſaid act to the contrary notwithſtanding.

CHAP. V.

Paſſed 14th of Nov. 1713. An ACT for the relief of John Smith, of Cæcil county, in the regulating a miſtake in a certain of bargain and ſale from the deviſees of Philip Lynes, Eſquire, to him made. Lib. LL. No. fol. 80. A Private Act.

CHAP. VI.

An ACT to reſtrain the ill practice uſed by ſheriffs in taking goods by *fieri facias* and ſelling the *venditioni exponas*. Lib. LL. No. 4. fol. 83.

CHAP. VII.

An ACT for the relief of Anthony Ivy and Anne his wife, (which ſaid Anne is the daughter heireſs at law to Robert Smith, Eſquire, late of Queen-Anne's county, deceaſed, and the Anthony one of the executors of the ſaid Robert Smith's teſtament,) in confirming the mor of land therein mentioned. Lib. LL. No. 4. fol. 85. A Private Act.

CHAP. VIII.

An ACT againſt falſe packing of tobacco. Lib. LL. No. 4. fol. 88.

CHAP. IX.

An ACT for relief of Joſiah Crouch, of Kent county, in confirming a certain ſale of lands William Crouch, to him and his heirs. Lib. LL. No. 4. fol. 89. A Private Act.

CHAP. X.

An ACT empowering the juſtices of the ſeveral county courts wi this province to regulate the bounds of the ſeveral pariſhes wi their reſpective counties, when diſputable, and for aſcertaining time and manner when and how the forty pounds of tobacco poll ſhall become due and payable to the miniſter or incumben each pariſh. Lib. LL. No. 4. fol. 91.

Preamble. FORASMUCH as it hath been repreſented to this general aſſembly, that for want of due ca the firſt diviſion of the ſeveral pariſhes within this province, the bounds of many of the pariſhes remain very uncertain and diſputable, which heretofore hath been, and hereafter ma the occaſion of many debates and controverſies, as well between the ſeveral incumbents, as the tries of ſuch pariſhes; for prevention whereof for the future,

Juſtices to aſcertain bounds, &c. II. BE IT ENACTED, *by the Queen's moſt excellent majeſty, by and with the advice and conſent of majeſty's Preſident, Council and Aſſembly of this province, and the authority of the ſame*, That from after the end of this preſent ſeſſion of aſſembly, it ſhall and may be lawful for the juſtices of ſeveral county courts within this province, or the major part of them, where the bounds of any riſh or pariſhes within their reſpective counties are uncertain, or ambiguouſly expreſſed, to aſcer and regulate them for the future, and after having ſo done, to cauſe their proceedings therein entered in the records of their county courts, there to remain for the ſatisfaction of thoſe that at time hereafter ſhall have occaſion to have recourſe thereunto.

And determine thoſe diſputed. III. AND, whereas ſome pariſhes are ſo divided as that they are partly contained in two coun BE IT THEREFORE ENACTED, *by the authority aforeſaid, by and with the advice and conſent aforeſaid*, in every ſuch caſe the juſtices of that county court wherein the diſputable bounds of ſuch par contained, or the major part of them, ſhall determine the ſame, and cauſe ſuch their determin to be entered in the records of their county court as aforeſaid.

The 4th ſection is omitted, as relating to the forty pounds of tobacco per poll, which was payable to the miniſters.

CHA

CHAP. XI.

CT aſcertaining what ſhall be allowed to grand and petit jurors in the provincial and county ts of this province, and evidences ſummoned to attend the ſaid courts. Lib. LL. No. 4. fol. 93. Paſſed 14th of Nov. 1713.

For three years. Expired.

CHAP. XII.

CT for the relief of Henry Acton, of Prince-George's county, in making valid and effectual rtain deed of bargain and ſale from Gilbert Clarke to John Bayne. Lib. LL. No. 4. fol. 94. rivate Act.

CHAP. XIII.

CT for killing of wolves, crows and ſquirrels. Lib. LL. No. 4. fol. 96. Repealed in part , ch. 5, and totally 1728, ch. 7.

CHAP. XIV.

CT for the payment and aſſeſſment of the public charge of this province. Lib. LL. No. 4. 98.

CHAP. XV.

CT for the relief of John Cole, of Charles county, carpenter. Lib. LL. No. 4. fol. 99. rivate Act.

CHAP. XVI.

CT for the naturalization of Stephen Rich, of Queen-Anne's county, carpenter, and his ren, John Lamée, of Dorcheſter county, weaver, and his children, and Samuel Berry, of county, carpenter. Lib. LL. No. 4. fol. 100. A Private Act.

CHAP. XVII.

CT reviving an act of aſſembly of this province, entitled, (a) An act prohibiting the importa- of bread, beer, flour, malt, wheat, or other Engliſh or Indian grain or meal, horſes, mares, or fillies, from Pennſylvania, and the territories thereto belonging. Lib. LL. No. 4. fol. 101.

(a) 1704, ch. 43, hereby continued without limitation, which is repealed 1715, ch. 49, and 1719, ch. 15.

SESSION of ASSEMBLY begun and held at the CITY of NNAPOLIS, in the county of Anne-Arundel, the 22d day of ne, and ended the 3d day of July, in the thirteenth year of the gn of our Sovereign Lady ANNE, Queen of Great-Britain, France d Ireland, Defender of the Faith, &c. *annoque domini* 1714, ere enacted the laws following. 1714.

JOHN HART, ESQUIRE, GOVERNOR.

CHAP. I.

CT laying an impoſition of three-pence per hogſhead on tobacco, for defraying the public ge of this province. Lib. LL. No. 4. fol. 103. Paſſed 3d of July, 1714.

For three years. Expired. The act of 1704, ch. 64, is hereby repealed.

CHAP. II.

CT for ſettling a revenue on her majeſty's preſent governor. Lib. LL. No. 4. fol. 104.

CHAP. III.

CT reviving and continuing an act of aſſembly of this province, entitled, (b) An act for the ring and regulating the militia of this province, for the better ſecurity and defence thereof, for ſupplying ſome defects therein. Lib. LL. No. 4. fol. 105.

(b) 1704, ch. 87, hereby continued three years.

CHAP.

CHAP. IV.

Paſſed 3d of July, 1714. An ACT for relieving the inhabitants of this province from ſome aggrievances in the proſ of ſuits at law. Lib. LL. No. 4. fol. 106.

This act was to continue three years, &c. Farther continued by 1718, ch. 2, 1721, ch. 2, 1723, ch. 4, 1727, ch. ch. 12, 1735, ch. 19, and expired in 1740. It was again revived by 1742, ch. 3, for three years, &c. and continued ch. 4, 1750, ch. 3, 1753, ch. 8, 1757, ch. 3, 1760, ch. 12, and 1763, ch. 4, for three years &c. by November, 1766, ch ſeven years, &c. and by November, 1773, ch. 17, for twenty-one years, &c. when it expired.

CHAP. V.

* 1704, ch. 86. An ACT reviving a certain act of aſſembly of this province, entitled, * An act for limita officers fees, and for ſupplying ſome defects therein, and alſo reviving another act of aſſem this province, entitled, (a) An act explaining ſome doubtful expreſſions in the act for limita officers fees. Lib. LL. No. 4. fol. 110.

(a) 1707, ch. 11, hereby continued three years.

At a SESSION of ASSEMBLY, begun and held at the CIT ANNAPOLIS, in the county of Anne-Arundel, the 5th da October, in the thirteenth year of the reign of our Sovereign L ANNE, Queen of Great-Britain, France and Ireland, Defende the Faith, &c. *annoque domini* 1714, was enacted the law lowing.

JOHN HART, ESQUIRE, GOVERNOR.

CHAP. VI.

Paſſed 5th of October, 1714. An ACT for aſſeſſing the public charge of this province, and appointing a committee to app the ſame for this preſent year, one thouſand ſeven hundred and fourteen. Lib. LL. No. 4. fo

1715. At a SESSION of ASSEMBLY, begun and held at the CIT ANNAPOLIS, in the county of Anne-Arundel, the 26th da April, and ended the 3d day of June, in the firſt year of reign of our Sovereign Lord King GEORGE, of Great-Brit France and Ireland, Defender of the Faith, &c. *annoque do* 1715, were enacted the laws following.

JOHN HART, ESQUIRE, GOVERNOR.

CHAP. I.

Paſſed 4th of May, 1715. A Moſt joyful and juſt recognition of the immediate, lawful and undoubted ſucceſſion and right crown of Great-Britain, and of the kingdoms and dominions thereunto belonging. L No. 4. fol. 117.

CH

CHAP. II.

T for naturalization of Thomas Harvey, of Calvert county, and his children. Lib. LL. fol. 119. A Private Act. Paſſed 3d of June, 1715.

CHAP. III.

T repealing an act, entitled, * An act for uniting Newport hundred, now part of King and n's pariſh, to William and Mary pariſh, in Charles county, and for re-uniting the ſame to and Queen pariſh, in St. Mary's county. Lib. LL. No. 4. fol. 119. * 1706, ch. 7.

CHAP. IV.

ACT for veſting in the rector, governors and viſitors of free-hools, and their ſucceſſors, for ever, a certain lot of land in the y of Annapolis, and an houſe thereon erected, commonly called e Kentiſh houſe, and empowering the ſaid rector and viſitors ore eaſily to tranſact the buſineſs of the ſaid free-ſchools. Lib. L. No. 4. fol. 120.

HEREAS in the year of our Lord God one thouſand ſix hundred ninety and ſix, the honour- able Francis Nicholſon, Eſquire, his then majeſty's captain-general, and governor in chief in er this province, excited by a laudable zeal and pious inclination of promoting a free-ſchool the town and port of Annapolis, and being poſſeſſed of three lots of land in the ſaid town, o the foot of the ſtadt-houſe hill, on the eaſtward thereof, did not only freely give and beſtow the ſaid lots lying to the ſouth-weſt ſide of the ſaid lots but alſo the ſum of ten pounds ſterling towards an houſe to be built thereon, but did alſo prevail with a certain Anthony, alias Wil- Workman, formerly of Kent Iſland, but then of Annapolis, inn-holder, to advance, give and one hundred and fifty pounds ſterling more, for and towards the building of the ſaid houſe or nt on the aforeſaid lot, and together with the ſaid Workman, and a certain William Freeman, ladelphia, bricklayer, entered into articles for the building and erecting the ſaid houſe, to be d enjoyed by the ſaid Workman, during his natural life, and afterwards to remain over to the the free-ſchools; in purſuance whereof the ſaid houſe was erected on the lot aforeſaid, and d Anthony, alias William Workman, in conſideration of his money ſo advanced, by ordinance general aſſembly had liberty and licence granted to him to keep an ordinary in the ſaid houſe, his natural life, free and diſcharged from the payment of the fine then impoſed by law there- and the further to corroborate and aſſure the ſaid lot and houſe to the rector, governors and s, and their ſucceſſors, for ever, to the uſe aforeſaid, by an act of aſſembly made at the ſaid and port of Annapolis, in Anne-Arundel county, in the month of July, in the year aforeſaid, d, An act for keeping good rules and orders in the port of Annapolis, it was, among other therein enacted, by the authority of the ſaid aſſembly, that all thoſe deeds, obligations, gs and evidences, made by and between his excellency Francis Nicholſon, Eſquire, captain- l and governor of this province, on the one part, and Anthony Workman, of Kent Iſland, in unty of Talbot, of the other, and William Freeman, bricklayer, of Philadelphia, in Pennſyl- of the other part, concerning a lot of land in the ſaid town, and building an houſe thereon, uſe of the ſaid Anthony Workman, during his natural life, and after his deceaſe to the uſe of e-ſchool of the ſaid town for ever, bearing date the eighth day of June, one thouſand ſix hun- inety and ſix, and ordered to be recorded in the journal of the governor and council, and of uſe of delegates of that general aſſembly, ſhould be of abſolute and full force, and available , to the uſes therein expreſſed, according to the true intent and meaning thereof, any defect n, or want of form in the ſame, notwithſtanding; but foraſmuch as the ſaid deeds, obligations, gs and evidences, upon ſearch, are not found to be recorded in either of the ſaid journals, they defaced and torn, or can otherwiſe be diſcovered or found, the preſent rector, governors and s of free-ſchools have prayed, that in order to confirm the ſaid lot, houſe and tenements, to nd their ſucceſſors for ever, to the uſe aforeſaid, it might be enacted, Preamble.

AND BE IT ENACTED, *by the King's moſt excellent majeſty, by and with the advice and conſent of his 's Governor, Council and Aſſembly of this province, and the authority of the ſame*, That the aforeſaid houſes, or tenements thereon erected, ſhall, in all times to come, be deemed, reputed and to be and remain, and be inveſted and remain in the aforeſaid rector, governors and viſitors, free-ſchools, and their ſucceſſors, as in an indefeaſable eſtate in fee-ſimple, for ever, to the the free-ſchool in the city of Annapolis, and to no other uſe, intent or purpoſe whatſoever, Lot, &c. confirmed to the rector, &c.

CHAP. IV.

the want of the ſaid articles, writings or evidences, or any other grant or conveyance of the ſaid lot, from the ſaid Francis Nicholſon, Eſquire, notwithſtanding.

Rector, &c. to meet, &c.

III. AND, inaſmuch as the ſaid rector, governors and viſitors, lie under great difficulties in curing a meeting of a competent number of the ſaid governors and viſitors, as by the preſe for the free-ſchools is directed to meet and conſult, and make orders for the better manage the ſaid ſchools, the appertenances and incidents thereto, BE IT THEREFORE ENACTED, *by t thority, advice and conſent aforeſaid*, That it ſhall and may be lawful for the ſaid rector, and any of the ſaid governors and viſitors not leſs than five, on any ſpecial occaſion ſo requiring, to me gether, conſult, direct and manage the affairs of the ſaid ſchools, and execute the ſeveral p and authorities in the aforeſaid act preſcribed, without being under the neceſſity of having the rity of the members of the corporation preſent at ſuch meetings; and that ſuch orders, rule directions, as ſhall by the rector and ſuch number of the viſitors aforeſaid, not leſs than five as ſaid, made and given, ſhall be of as good efficacy and force as if they were made and given majority of the members of that corporation, any law, ſtatute, uſage or cuſtom, to the co notwithſtanding.

CHAP. V.

Paſſed 3d of June, 1715.

An ACT to ſupply certain defects in the conveying of lands from Matthew Beard to St Wright, and from Stephen Wright to Samuel Chambers, of Anne-Arundel county, gent. LL. No. 4. fol. 123. A Private Act.

CHAP. VI.

An ACT to ſupply an omiſſion in the writing the laſt will and teſtament of Raphael Haywood, of St. Mary's county, gentleman. deceaſed, and for ſettling an eſtate of inheritance in fee-ſ on Robert Scott, clerk, and Charles Neal, planter, the executors and deviſees in the ſaid named. Lib. LL. No. 4. fol. 125. A Private Act.

CHAP. VII.

An ACT aſcertaining what damages ſhall be allowed upon proteſted bills of exchange. Lib No. 4. fol. 127.

Repealed 1785, ch. 38; Provided that all bills of exchange drawn before the paſſage of the *repealing* act, and already *after* proteſted, are to be ſubject to the regulations contained in the act repealed.

CHAP. VIII.

An ACT to confirm and make valid in law all manner of proceſs and proceedings in the ſe courts of this province, from the demiſe of her late majeſty queen Anne, of pious memory, t end of this preſent ſeſſion of aſſembly. Lib. LL. No. 4. fol. 128.

CHAP. IX.

An ACT declaring the continuance of the payment of the twelve-pence per hogſhead from the of the late right honourable Charles lord Baltimore until the twenty-ninth day of September Lib. LL. No. 4. fol. 129.

CHAP. X.

An ACT relating to the ſtandard of Engliſh weights and meaſu Lib. LL. No. 4. fol. 130.

A Supplementary act November, 1765, ch. 1.

Preamble.

WHEREAS the ſtandards of Engliſh weights and meaſures are very much impaired in ſever the counties of this province, and in ſome wholly loſt, or unfit for uſe,

Juſtices to complete their ſtandards, &c.

II. BE IT ENACTED, *by the King's moſt excellent majeſty, by and with the advice and conſent of his ma Governor, Council and Aſſembly of this province, and the authority of the ſame*, That the juſtices of the ral county courts ſhall, by all convenient ſpeed, at the charge of their reſpective counties, cau ſtandards they already have to be made complete, and purchaſe new ſtandards where they have n and for the better preſervation of them for the future, that they take good and ſufficient ſecurit his majeſty's name, to the uſe of the county where taken, from the perſons that ſhall be intruſte them to keep ſuch ſtandard, in the penal ſum of fifty pounds ſterling, "for the ſafe keeping ſuch ſt ard, and for the due execution of the office of ſtandard-keeper, and for the delivering the ſame the like good order they receive the ſame, when they ſhall be legally diſcharged from ſuch tr under the penalty of five hundred pounds of tobacco for each juſtice of that county court that omit to do what is required of them by this act, the one half to his majeſty, his heirs and ſucce for the ſupport of government, the other half to the informer, or to him or them that ſhall ſu

e, to be recovered in the provincial court of this province againſt ſuch juſtices, jointly or ſe- by action of debt, bill, plaint or information, wherein no eſſoin, protection or wager of law llowed. CHAP. X.

AND BE IT FURTHER ENACTED, *by the authority aforeſaid, by and with the advice and conſent* That all perſons, whether inhabitants or foreigners, ſhall repair and bring their ſteelyards hich they weigh and receive their tobacco, to the ſtandard, yearly and every year, to be tried, and numbered, for which they are to pay the perſon keeping the ſtandard one ſhilling for ime ſuch ſteelyards ſhall be tried and ſtamped as aforeſaid; and every perſon or perſons ſhall eir buſhel, half-buſhel, peck, gallon, pottle, quart and pint, if they make uſe of the ſame, or hem, in buying or ſelling, duly tried and ſtamped at the ſtandard aforeſaid, except ſuch of ſures aforeſaid, as come out of England, and are there ſtamped; for which trying and ſtamp- ſhall pay ſix-pence a piece. Steelyards to be ſtamped, &c.

AND, Whoſoever ſhall preſume to ſell by any dry meaſures, without firſt having the ſaid mea- ied and ſtamped at the ſtandard, ſhall forfeit the ſum of five hundred pounds of tobacco. (a) None to ſell by dry meaſure.

(a) By November, 1765, ch. 1, perſons *buying* by any dry meaſure, contrary to this act, ſhall forfeit five pounds, to be reco- y action of debt, bill, &c. provided ſuch action ſhall be commenced within one year from the offence.

AND, Whoſoever likewiſe ſhall preſume to weigh and receive tobacco by ſteelyards which have thin one year paſt from ſuch weighing and receiving, been tried and ſtamped at the ſtandard, rfeit one thouſand pounds of tobacco, the one half of which afore-mentioned forfeitures to be his majeſty, his heirs and ſucceſſors, towards the defraying the charge of the county where nder ſhall dwell or reſide, and the other half to the informer or informers, to be recovered in unty court of this province by bill, plaint or information, wherein no eſſoin, protection or f law to be allowed. Penalty for weighing with unmarked ſteelyards.

AND, If any perſon or perſons ſhall refuſe to pay any tobacco by ſuch ſteelyards, tried and as aforeſaid, and ſhall thereby compel the owner to have them tried over again within the the ſteelyards are true, ſuch perſon ſo refuſing or compelling as aforeſaid ſhall pay for the mping, but if not, the owners of the ſteelyards to pay for the ſame. Who are to pay.

CHAP. XI.

ACT againſt embezzlement of wills or records within this pro- nce. Lib. LL. No. 4. fol. 132.

Paſſed 3d of June, 1715.

ASMUCH as there is not any ſufficient remedy provided againſt ſuch as ſhall embezzle, alter raze, any records of deeds for conveying of land within this province, or any will, or records , or other deeds or inſtruments, that ſhall any ways touch or concern the eſtate of inheritance hold of any perſon whatſoever; and for that it is found neceſſary to make ſome proviſion ſuch evil practices, Preamble.

E IT THEREFORE ENACTED, *by the King's moſt excellent majeſty, by and with the advice and conſent of his Governor, Council and Aſſembly of this province, and the authority of the ſame*, That in caſe any per- atſoever ſhall, at any time hereafter, be legally convicted, by confeſſion or otherwiſe, of wil- corruptly embezzling, impairing, razing or altering any will or record within this province, y the eſtate of inheritance or freehold of any perſon whatſoever ſhall be defeated, injured, or s altered, ſuch perſon ſo convict ſhall forfeit all his goods and chattels, lands and tenements, half to our Sovereign Lord the King, his heirs and ſucceſſors, for the ſupport of government, er half to the party grieved, and ſhall alſo be ſet in the pillory for the ſpace of two hours, and th his ears nailed thereto, and cut from off his head. Penalty for embezzling wills, &c.

CHAP. XII.

T for the ſpeedy recovery of ſmall debts out of court before a ſingle juſtice of the peace. LL. No. 4. fol. 133.

This act was repealed by the temporary law of 1753, ch. 13, ſince expired, and ſtood under a repeal, by a like tempo- of 1763, ch. 21. It has been ſince repealed by 1791, ch. 68.

CHAP. XIII.

T empowering a committee to lay, aſſeſs and apportion the public levy for this preſent year, houſand ſeven hundred and fifteen. Lib. LL. No. 4. fol. 134.

CHAP. XIV.

Passed 3d of June, 1715.

An ACT appointing certain days on which the ſeveral and reſpective county courts within th vince are to be held. Lib. LL. No. 4. fol. 135.

CHAP. XV.

An ACT for the appointment of conſtables, and what relate their office, and aſcertaining what perſons are taxables. Lib. No. 4. fol. 136.

Supplementary acts, 1719, ch. 12, and 1752, ch. 7.

Conſtables to be appointed, &c.

BE IT ENACTED, *by the King's moſt excellent majeſty, by and with the advice and conſent of his Governor, Council and Aſſembly of this province, and the authority of the ſame,* That the juſti peace in every reſpective county of this province, at the firſt county court held after Mich ſhall (a) appoint conſtables in each hundred of their ſeveral and reſpective counties; and t conſtables, ſo appointed ſhall, before they enter into that office, take the ſeveral oaths appoi be taken by all officers by the acts of aſſembly of this province, and the oath of a conſtable, i following; that is to ſay, "You, A. B. ſhall well and truly ſerve our Sovereign Lord the K "the office of a conſtable; you ſhall ſee and cauſe that his majeſty's peace be well and duly ke "cording to your power; you ſhall arreſt all ſuch perſons as in your preſence ſhall commit a "fray, or other breach of his majeſty's peace; you ſhall do your beſt endeavour, upon compl "you made, to ſeize all felons, barretors, rioters, or perſons riotouſly aſſembled, and if a "offender ſhall make any reſiſtance with force, you ſhall levy hue and cry, and cauſe them to b "ſued ſo as they may be taken; you ſhall do your beſt endeavour that hue and cry be duly rai "purſued againſt murderers, thieves and other felons, and fugitive ſervants, and the laws and "againſt vagabonds, and ſuch other idle perſons, coming within your limits, be duly put in "tion at your county courts coming; you ſhall, ſo far as in you lies, put in execution the ac "ſembly againſt profane curſing, ſwearing and drunkenneſs, and alſo true preſentment make "bloodſheds, affrays, outcries, reſcues, and other offences committed againſt his majeſty's "within your limits; you ſhall well and truly execute all precepts and warrants to you direct "the juſtices of the peace of this county, or higher officers; and you ſhall well and truly, acc "to your power, knowledge and ability, do and execute all things belonging to the office of "ſtable ſo long as you ſhall continue in this office. So help you GOD."

(a) By the act of 1752, ch. 7, ſection 2, the county clerk ſhall ſignify ſuch appointment within five days, to the ſhe the ſheriff to the perſon appointed, within ten days, on penalty of twenty ſhillings currency.

Penalty for refuſing to take the oaths, &c.

II. AND, If the perſon or perſons ſo appointed ſhall, before any juſtice of the peace, refuſe take the ſeveral oaths aforeſaid, or ſhall refuſe to provide a ſufficient perſon to ſupply his pla ſerving in the ſaid office and taking the oaths aforeſaid, that then ſuch perſon, ſo refuſing, fined to his majeſty, his heirs and ſucceſſors, in the ſum of five hundred pounds of tobacco, t the defraying the public charge of that county, and that ſuch juſtice of peace before whom ſu fuſal ſhall be made, ſhall iſſue his warrant to the ſheriff to levy the ſaid fine by diſtreſs and ſale goods and chattels of ſuch perſon ſo fined as aforeſaid, returning to him the overplus; whi ſheriff is hereby empowered and required to levy the ſame accordingly, and render an account of to the juſtices of peace of that county at the time of laying the county levy.

(b) By the act of 1752, ch. 7, ſection 2, perſons ſo appointed ſhall qualify themſelves by taking the ſaid oaths within after notice given by the ſheriff of ſuch appointment, under the penalty in this clauſe mentioned.

Conſtables to take a liſt, &c.

III. AND BE IT ENACTED, *by the authority aforeſaid, by and with the advice and conſent aforeſaid* every conſtable ſhall, on or before the twentieth day of June in every year reſpectively, re perſon to every houſe or habitation within his hundred, and there require of the maſter, m dame, or other chief perſon of the family, a true liſt from under their hands of all their taxab ſons, diſtinctly to be named, they and every of them have within their reſpective families; which liſt the ſaid conſtable ſhall make two fair (c) liſts under his hand, and one he ſhall send ſheriff of the county, and the other he ſhall preſent to the next county court, to be ſet up.

(c) By 1719, ch. 12, ſections 6 and 7, conſtables ſhall return their liſts of taxables to the ſheriff by the first of Augu ſhall carry unſettled freemen before a magiſtrate to give ſecurity for their levy, or be committed; and for not purſuing tions of theſe two acts in taking and returning taxables, ſhall forfeit 500lb. tobacco, one half to the county ſchools, the to the informer.

Maſters, &c, refuſing to be fined, &c.

IV. AND, In caſe any maſter, miſtreſs, dame, or other chief perſon of a family, ſhall refuſe, delay to give ſuch liſt, or in their abſence leave at their dwelling-houſes, or quarters, ſuch a account of their taxable perſons of their ſeveral families, or in the ſaid account ſhall conceal

person or persons in his or their family, for every such offence, or not giving a true list or account of them as aforesaid to the constable by the time required, and for every taxable person by them concealed, shall forfeit and pay the sum of five hundred pounds of tobacco for every such offence, (d) one half thereof to his majesty, his heirs and successors, for the support of government, the other half to the informer, or him or them that will sue for the same, to be recovered in any county court within this province, by action of debt, bill, plaint or information, wherein no essoin, protection or wager of law to be allowed.

(d) By 1719, ch. 12, section 2, masters, &c. of families concealing any taxable, or not giving true account thereof, pursuant to this clause, shall, for every taxable so concealed, or not given in, forfeit 500lb. tobacco, one half to the county school, the other to the informer.

What persons are deemed taxables, &c.

AND, for the better ascertaining what persons are, and shall be deemed taxables, and what not, BE IT ENACTED, That all male persons, residents in this province, and all (e) female slaves thereof the age of sixteen years, or above, shall be accounted taxables, except clergymen of the church of England having benifices within this province, and likewise such poor people as receive alms from the county, and also all such slaves as shall be adjudged by the county court to be past labour, who are hereby exempted, any law, usage or custom to the contrary notwithstanding.

(e) All female mulattoes born of white women, and all free negro women, shall be taxables, by 1725, ch. 4.

Constables to obey warrants, &c.

III. AND BE IT FURTHER ENACTED, *by the authority aforesaid, by and with the advice and consent aforesaid*, That all constables within this province shall obey, and are hereby obliged to execute, all warrants and precepts to them directed from any justice or justices within this province, touching or concerning any matter, debt or demand between party and party; and such constable shall and may have, take, exact and receive from the party complaining, a fee of two shillings and six-pence current money, or thirty pounds of tobacco, for serving all the precepts relating to any one action, matter or demand, and no more.

Proviso.

VII. PROVIDED, That where several constables are to be employed in executing precepts relating to one and the same matter or demand, the justice before whom such matter or demand is determined, shall and may direct what fee, not exceeding two shillings and six-pence, or thirty pounds of tobacco, each constable shall have; which fee or fees are to be levied by way of execution on the party complaining, and to be allowed the party recovering in his costs.

This act is printed at large, but several parts of it have been altered by subsequent acts. See October, 1780, ch. 17, April, 1782, ch. 40, 1791, ch. 68, 1794, ch. 53, and 1798, ch. 34.

CHAP. XVI.

Passed 3d of June, 1715.

AN ACT prohibiting the carrying of liquors to the Indian towns, or selling any quantity of strong liquors to the Indians, to prevent differences between them and his majesty's subjects, and to punish the transporters of any friend Indian or Indians out of this province. Lib. LL. No. 4. fol. 139.

CHAP. XVII.

AN ACT for encouragement of tillage, and relief of poor debtors. Lib. LL. No. 4. fol. 142.

For three years. Continued 1719, ch. 11, for three years. Expired.

CHAP. XVIII.

AN ACT prohibiting the importation of bread, beer, flour, malt, wheat, or other Indian or English grain or meal, horses, mares, colts or fillies, from Pennsylvania, and the territories thereto belonging. Lib. LL. No. 4. fol. 144. Repealed 1728, ch. 3.

CHAP. XIX.

AN ACT prohibiting all masters of ships or vessels, or any other person, from transporting or conveying away any person or persons out of this province, without passes. Lib. LL. No. 4. fol. 146.

Persons to give notice, &c.

BE IT ENACTED, *by the King's most excellent majesty, by and with the advice and consent of his majesty's Governor, Council and Assembly of this province, and the authority of the same*, That from and after the publication hereof, any person or persons whatsoever, intending to depart this province, shall first give notice of his, her or their intended departure, by setting up his, her or their name or names at the secretary's office of this province, and also at the door of the court-house of the county where such persons reside at the time of setting up such name as aforesaid, the full space of three months; that if in the time aforesaid no person shall underwrite the said person or persons so setting up his, her or their respective name or names as aforesaid, it shall be then lawful for the governor, keeper of the great seal, or secretary of this province, for the time being, upon certificate thereof from the clerk

CHAP. XIX.

clerk of the provincial court, and the clerk of such county where such name shall be set up as aforesaid, to sign a pass or passes to any such person or persons, to depart this province, for which party shall pay to the secretary for signing the same the sum of two shillings and six-pence, and the clerk of the provincial and county courts twelve-pence each; and if any person or persons, upon any sudden or emergent occasion, are necessitated to depart this province, not having set up his, or their names at the secretary's office, and county court-house door as aforesaid, then such person or persons, giving good and sufficient security to the governor, keeper of the great seal, or secretary to discharge and pay all debts, dues and demands whatsoever, due, owing, or demandable from said person to any of the inhabitants of this province, then the said person or persons may have pass, containing a certificate of such security given, for which shall be paid the same fee as aforesaid.

Penalty for transporting debtors, &c.

II. AND BE IT FURTHER ENACTED, That any master of ships or vessels, or other persons whatever, that shall transport or convey out of this province, by land or water, any person being debted by bill, bond or account, or otherwise, to any inhabitant thereof, without such pass or pa under the hand of the governor, chancellor or secretary as aforesaid, shall be liable to satisfy all debts, engagements and damages, to the person or persons to whom such debts or damages respectively shall be due, within this province, except the same be otherwise satisfied, or that the transporter or conveyer away of such person or persons, procure such person or persons to return again with one month after, whereby he may be liable to justice here.

Or servants, &c.

III. AND, Every such person as aforesaid as shall transport or convey away out of this provi any servant or servants, being servants here by condition for wages, indenture, or custom of country, shall be liable to pay and satisfy unto the master or owner of such servant or servants carried away, all such damages as he or they shall make appear to be justly due to such master owner, for want of such servants, as the court before whom such cause shall be tried shall think fit

Persons conveying debtors, &c. into Pennsylvania, &c. to be liable, &c.

IV. AND, whereas several ill-minded people, inhabiting and residing at the head of the bay, h commonly set persons over the head of the bay, and Susquehanna river, being either felons, debtors or runaway servants from the more remote parts of this province, for some small advantage they have in buying or getting such money, goods or apparel, as such persons so absenting, or flying fr justice aforesaid, have with them generally money, goods or apparel, by them feloniously purloi from their masters, and other owners, by which means they may more easily travel to any other vernment in prevention and delay of justice, and to the great damage of such creditors, masters owners aforesaid; BE IT THEREFORE ENACTED, *by the authority aforesaid, by and with the advice consent aforesaid*, That from and after the publication hereof, no person or persons, inhabiting being at the head of the bay, or in any other part of this province, shall transport or conv or cause to be transported or conveyed, over Susquehanna river aforesaid, or any part of bay above the north side of Sassafras river on the eastern shore of the bay, or over Patowmack Pocomoke rivers into the colony of Virginia, not having passes so procured as aforesaid, or a certi cate from under the hands of two justices of the peace of the county where such person or perso intending to travel shall inhabit, and the county seal affixed thereto, certifying the freedom of su persons, and that he, she or they are clear, to the best of their knowledge, from any engagemen impeding their travelling as aforesaid, on penalty of answering all such debts or damages to creditor masters, or other owners of servants, to be recovered as by this law is provided against such as sh actually set them out of this province.

Penalty for enticing apprentices, &c.

V. AND BE IT FURTHER ENACTED, *by the authority, advice and consent aforesaid*, That whatsoe person or persons shall from henceforth entice, transport, or secretly carry or send away out of t province, any apprentice, or other servants or slaves belonging to any inhabitant in this provin shall, for every such offence, forfeit and pay to the employer or owner of such apprentice, or oth servant or slave, treble damages and costs, to be adjudged by the justices of each respective coun court, or the justices of the provincial court, for the time of such apprentices, or other servants slaves, unlawfully being transported or carried away as aforesaid.

See the act of 1753, ch. 9.

CHAP. XX.

Passed 3d of June, 1715.

An ACT for the relief of Peter Sewell, a languishing prisoner in Calvert county. Lib. LL. No fol. 148. A Private Act.

CHAP. XXI.

An ACT for relief of Ezekiel Parr, of Cæcil county. Lib. LL. No. 4. fol. 152. A Private A

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CHAP. XXII.

ACT for ſecuring merchants and others tobacco, after they have received it, and declaring the ering the mark or quality thereof to be felony, and againſt falſe packing. Lib. LL. No. 4. 155. Paſſed 3d of June, 1715.

CHAP. XXIII.

ACT for limitation of certain actions, for avoiding ſuits at law. Lib. LL. No. 4. fol. 158.

lementary and other acts 1715, ch. 46, 1729, ch. 24, 25, November, 1765, ch. 12, February, 1777, ch. 15, October, 1778, October, 1780, ch. 5, April, 1782, ch. 55, 1784, ch. 65, 1785, ch. 10, 1786, ch. 18, 1789, ch. 26, 1797, ch. 89.

RASMUCH as nothing can be more eſſential to the peace and tranquillity of this province than the quieting the eſtates of the inhabitants thereof, and for the effecting of which no better ires can be taken than a limitation of time for the commencing of ſuch actions, as in the ſeveral reſpective courts within this province are brought, from the time of the cauſe of ſuch acticcruing; Preamble.

BE IT ENACTED, *by the King's moſt excellent majeſty, by and with the advice and conſent of his majeſty's nor, Council and Aſſembly of this province, and the authority of the ſame*, That all actions of treſpaſs *clauſum fregit*, all actions of treſpaſs, detinue, ſur-trover, or replevin for taking away goods or ls, all actions of account, contract, debt, book, or upon the caſe, other than ſuch accounts as rns the trade or merchandiſe between merchant and merchant, their factors and ſervants which t reſidents within this province, all actions of debt for lending, or contract without ſpecialty, ions of debt for arrearages of rent, all actions of aſſault, menaces, battery, wounding and imment, or any of them, ſhall be ſued or brought by any perſon or perſons within this province, time after the end of this preſent ſeſſion of aſſembly, ſhall be commenced or ſued within the and limitation hereafter expreſſed, and not after; that is to ſay, the ſaid actions of account, he ſaid actions upon the caſe, upon ſimple contract, book debt or account, and the ſaid actions bt, detinue and replevin for goods and chattels, and the ſaid actions for treſpaſs *quare clauſum* within three years enſuing the cauſe of ſuch action, and not after; and the ſaid actions on the or words, and actions of treſpaſs of aſſault, battery, wounding and impriſonment, or any of within one year from the time of the cauſe of ſuch action accruing, and not after. Actions to be brought within three years, &c.

AND BE IT FURTHER ENACTED, *by the authority aforeſaid*, That if any perſon entitled to any tion or actions aforeſaid ſhall be, at the time of any ſuch cauſe of action accruing, within the one and twenty years, *feme-covert*, *non compos mentis*, impriſoned, or beyond the ſeas, that then erſon or perſons ſhall be at liberty to bring the ſaid action or actions within the reſpective times limitted, after their coming to, or being of, full age, ſound memory, at large, or returned eyond the ſeas, as other perſons having no ſuch impediment might or ſhould have done. A ſaving to infants, &c.

AND, foraſmuch as divers diſputes formerly aroſe, whether perſons abſenting the province, or ring from county to county until the time by the late act, for the reaſons and purpoſes aforemitted and allowed, were expired, ſhould have any benefit thereby, and different judgments thereon in the ſeveral and reſpective counties within this province, for that the ſaid act was ther ſilent, BE IT THEREFORE ENACTED, *by the authority aforeſaid*, That from and after the pubn hereof, no perſon or perſons whatſoever, abſenting themſelves out of this province, or that emove from county to county, after any debt contracted, whereby the creditor or creditors e at an uncertainty of finding out the ſaid perſon or perſons, or his or their effects, ſhall have nefit by the limitation or reſtriction in this act ſpecified. (a) Certain perſons to have no benefit, &c.

(a) By November, 1765, ch. 12, perſons liable to any action, who may be abſent *at the time* when the cauſe thereof accrues, ot have any benefit by this act, provided that after their preſence ſuch action ſhall be commenced within the time limitted.

PROVIDED ALWAYS, and it is the true intent and meaning hereof, That this act, or any thing contained, ſhall not be conſtrued, reputed or taken, to prejudice or debar any perſon re- himſelf or family from one county to another for his conveniency, or any perſon leaving this ce for the time and term in this act limitted, from the benefit thereof, he leaving effects ſuffiand known for the payment of his juſt debts, in the hands of ſome perſon or perſons who will the payment thereof to his creditors, any thing in this act contained to the contrary hereof wiſe notwithſtanding. Proviſo.

AND BE IT FURTHER ENACTED, *by the authority aforeſaid, by and with the advice and conſent afore-* hat no bill, bond, judgment, recognizance, ſtatute merchant, or of the ſtaple, or other ſpeci- No bill, &c. to be good, &c.

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CHAP. XXIII.

alty whatſoever, except ſuch as ſhall be taken in the name or for the uſe of our ſovereign Lo king, his heirs and ſucceſſors, ſhall be good and pleadable, or admitted in evidence againſt any p or perſons of this province, after the principal debtor and creditor have been both dead twelve or the debt or thing in action above twelve years ſtanding; ſaving to all perſons that ſhall be the afore-mentioned impediments of infancy, coverture, inſanity of mind, impriſonment, or beyond the ſea, the full benefit of all ſuch bills, bonds, judgments, recognizances, ſtatutes mer or of the ſtaple, or other ſpecialties, for the ſpace of five years after ſuch impediment removed thing in this act before mentioned to the contrary notwithſtanding.

CHAP. XXIV.

Paſſed 3d of June, 1715.

An ACT to declare how the forty pounds of tobacco per poll, in ſuch pariſhes where there is cumbent, ſhall be diſpoſed of. Lib. LL. No. 4. fol. 160.

CHAP. XXV.

An ACT for the publication of all the laws of this province, and the recording the ſame in the ſecretary's office, as alſo for tranſ ting the journal of the council in aſſembly, and of the hou delegates, into the ſaid office, to the end that no perſon ma ignorant of the laws in this province. Lib. LL. No. 4. fol. 1

Acts to be tranſcribed, &c.

BE IT ENACTED, *by the King's moſt excellent majeſty, by and with the advice and conſent of his Governor, Council and Aſſembly of this province, and the authority of the ſame*, That from hen ward all the acts that ſhall paſs from this, and all the ſucceeding aſſemblies, ſhall be from t time fairly tranſcribed on parchment, or for want thereof, on good paper with a parchment and by writ under the great ſeal of this province, from time to time, by the keeper of the ſ the time being, to the ſheriff of each reſpective county ſhall be tranſmitted, and commandm them in the ſaid writs ſhall be given, "The ſaid acts in their ſeveral and reſpective counties, a next county court, to publiſh and proclaim, firmly to be obſerved and kept, and lodged with th of each reſpective court, for the uſe thereof."

Counties to pay, &c.

II. AND BE IT FURTHER ENACTED, *by the authority aforeſaid*, That every ſeveral and reſp county ſhall, from time to time, pay to the chancellor for the time being, for ſuch tranſcript laws, ſo much tobacco as by the ſaid general aſſembly, in which the ſaid laws are made, ſhall ſeſſed and allowed.

Proviſo.

III. PROVIDED ALWAYS, That becauſe there is not parchment now to be had in the provi tranſcribing the laws of this preſent ſeſſion to be ſent to the counties, that for this ſeſſion onl paper ſhall be accepted to tranſcribe the ſeveral laws therein.

All acts to be tranſmitted, &c.

IV. AND BE IT FURTHER ENACTED, *by the authority aforeſaid, by and with the advice and aforeſaid*, That all the acts of aſſembly which ſhall be enacted this preſent ſeſſion, and all the ſu ing ſeſſions of aſſembly, ſhall (within ten days after the end of each ſeſſion) be tranſmitted in ſecretary's office; and the ſecretary for the time being ſhall, (upon receipt of the ſaid acts i office) cauſe the ſaid acts to be entered upon record, in a very fair legible hand, and in a goo ſtantial book, bound with leather or parchment cover, with large margins, and alſo alphabet t book in good order, and affix the ſeal of his office thereto; and the clerk or clerks that do rec ſaid acts, ſhall make oath before the governor of this province for the time being, or before his majeſty's council, or two of the juſtices of the provincial court, that "he or they have ca examined the record of the ſaid acts by the original acts which have paſſed the great ſeal;" all ſhall be done within ſix months ſucceſſively after the end of each ſeſſion.

Penalty for default.

V. AND, In caſe the ſecretary ſhall not purſue the directions of this act, but ſhall make d he ſhall forfeit the ſum of ten thouſand pounds of tobacco for every ſuch neglect, the one half of to his majeſty, his heirs or ſucceſſors, for the ſupport of the government of this province, a other half to the informer, or him or them that ſhall ſue for the ſame, to be recovered in an of record within this province, by bill, plaint or information, wherein no eſſoin, protection, o of law to be allowed.

Journals to be tranſcribed, &c.

VI. AND BE IT ENACTED, *by the authority aforeſaid*, That the clerk of the council in aſſem the time being, and the clerk of the houſe of delegates for the time being, ſhall tranſcribe the

rnals of the council in aſſembly and of the ſaid houſe, into two ſeveral fair books, and in a ir legible character, within two months after the end of each ſeſſion, and ſhall tranſmit the o tranſcribed, into the ſecretary's office, there to remain, and the ſecretary is required by to receive the ſame accordingly; and the clerk or clerks making default, ſhall forfeit five d pounds of tobacco each for every offence, the one half to his majeſty, his heirs or ſucceſſors, ſupport of government of this province, and the other half to him or them that ſhall ſue for ne, to be recovered as aforeſaid. CHAP. XXV.

AND BE IT ENACTED, *by the authority aforeſaid, by and with the advice and conſent aforeſaid*, That retary ſhall be allowed for recording the ſaid acts, in the public levy, ſo much as the general y ſhall think the ſaid ſecretary ſhall reaſonably deſerve. Secretary's allowance.

See the conſtitution ſection 60, and the act of 1790, ch. 51.

CHAP. XXVI.

ACT for the ſpeedy trial of criminals, and aſcertaining their uniſhment in the county courts when proſecuted there, and for ayment of fees due from criminal perſons. Lib. LL. No. 4. l. 164.

Paſſed 3d of June, 1715.

A Supplementary act, May, 1766, ch. 6.

HEREAS many acts of aſſembly have been heretofore made againſt thieving and ſtealing, which at this preſent are not ſufficient to prevent the committing thoſe crimes, or to puniſh when committed; Preamble.

BE IT THEREFORE ENACTED, *by the King's moſt excellent majeſty, by and with the advice and conſent majeſty's Governor, Council and Aſſembly of this province, and the authority of the ſame*, That it ſhall ay be lawful to and for the ſeveral juſtices of the county courts of this province to hold plea of, ge, and in lawful manner determine, all thieving and ſtealing of any goods or chattels whatſo- not being above the value of one thouſand pounds of tobacco (robbery, burglary, and houſe- ng excepted,) (a) and every perſon or perſons legally convicted of any ſuch thieving and ſteal- except before excepted,) by teſtimony of one ſufficient evidence, not being the party grieved, any ſuch county court as aforeſaid, ſhall and may cauſe to be puniſhed, by paying fourfold of lue of the goods ſo thieved or ſtolen as aforeſaid, and the ſtolen goods returned to the party or s grieved thereby, and by putting in the pillory, and whipping ſo many ſtripes as the court be- whom ſuch matter is tried ſhall adjudge, not exceeding forty; which court ſhall always adjudge lue of the goods ſo thieved and ſtolen as aforeſaid; and if any ſuch perſon, ſo convicted, have fficient goods and chattels, or be a ſervant, whereby he is incapable to have goods and chattels isfy and pay the ſaid fourfold, in every ſuch caſe, ſuch perſon or perſons ſhall receive the cor- puniſhment as aforeſaid, and ſatisfy the fourfold, and fees of conviction, by ſervitude. Juſtices to hold plea, &c.

) By 1785, ch. 87, ſection 7, the juſtices of the county courts are empowered (unleſs in caſes particularly directed by law to ied in the general court) to try all perſons who have committed any manner of offence, although it may ſubject ſuch perſon e pains of death.

AND BE IT HEREBY ENACTED AND DECLARED, *by the authority, advice and conſent aforeſaid*, That ime of ſervice of a free perſon convict as aforeſaid, not having goods and chattels as aforeſaid, commence from the time of his conviction as aforeſaid; and the time of ſervice of a ſervant, ct as aforeſaid, ſhall commence at the expiration of ſuch time of ſervitude, to which, at the of his conviction, he ſtood bound, which time of ſervitude, for ſatisfaction for the ſtolen goods, ees accrued as aforeſaid, ſhall be adjudged by ſuch county court, either to the party grieved, or ther perſon the court ſhall order ſuch convict to, that will then and there pay, or ſecure to be the fourfold and coſts aforeſaid, at the diſcretion of the court; and if any perſon or perſons ſhall ve or take part of ſuch ſtolen goods, or aſſiſt the perſon ſo ſtealing as aforeſaid to make away or al them, being legally convicted as aforeſaid, ſhall ſuffer the ſame corporal pains with the party ng as aforeſaid, any law, ſtatute, uſage or cuſtom to the contrary notwithſtanding. Servitude to commence from the conviction, &c.

AND, If any perſon or perſons have been once convicted of any ſuch thieving and ſtealing, pt before excepted,) and ſhall after be again preſented for thieving and ſtealing of any goods attels, laid to be above the value of twelve-pence, it ſhall not be tried and determined y county court, but the party preſented, upon ſuch preſentment, ſhall be proceeded againſt e provincial court as a felon for ſimple ſelony, but ſhall not be puniſhed by death, but paying the fourfold, branding with a hot iron, or ſuch other corporal puniſhment as the Perſons again proſecuted may be tried, &c.

CHAP. XXVI.

court ſhall adjudge, ſaving life; and ſuch preſentment ſhall be, by the clerk of every ſuch county immediately ſent to the then next provincial court, together with a tranſcript of his former viction, if ſuch conviction was in the ſame court where the preſentment aforeſaid ſhall be, or wiſe, made known to the attorney-general in what other court ſuch former conviction was, if known, under the penalty of five hundred pounds of tobacco to our ſovereign lord the ki heirs and ſucceſſors, for the ſupport of government; and the parties witneſſes againſt ſuch fel in court at the time of ſuch preſentment, ſhall be bound over to give evidence as aforeſaid, or wiſe, if not in court, an account of their names and places of dwelling to be ſent to the att general, to be ſummoned againſt the then next provincial court, in order to ſuch trial; and the preſented, if in court, to be bound over alſo, by due courſe of law, to anſwer ſuch preſentme if not in court, proceeded againſt by due courſe of law as aforeſaid.

Penalty for killing unmarked ſwine, &c.

V. AND BE IT FURTHER ENACTED, *by the authority, advice and conſent aforeſaid*, That any per perſons whatſoever that ſhall kill any unmarked ſwine above three months old, if not upon their own land, or not in company with his or their own ſtock, ſhall and is hereby adjudged ſtealer, and ſhall be liable to reſtore fourfold, and ſuffer ſuch corporal pains as againſt the fence in this act mentioned.

For concealing them, &c.

VI. AND, to prevent any perſon or perſons concealing or disfiguring the mark of any ſwine as aforeſaid, BE IT FURTHER ENACTED, *by the authority, advice and conſent aforeſaid*. That if any or perſons killing any ſuch unmarked ſwine in the woods, or elſewhere, and ſhall wilfully di the mark, or cut off the ears of ſuch ſwine, ſo as to conceal the true and real mark, or whet were marked or not, ſhall be deemed and adjudged a hog ſtealer within the purview of this ac ſhall ſuffer accordingly.

And on perſons convicted for hunting, &c.

VII. AND, to prevent the abuſing, hunting, or worrying of any ſtock of hogs, cattle or h with dogs, or otherwiſe, BE IT ENACTED, That if any perſon or perſons whatſoever, that have convicted of any of the crimes aforeſaid, or other crimes, or that ſhall be of evil fame, or a va or diſſolute liver, that ſhall ſhoot, kill or hunt, or be ſeen to carry a gun, upon any perſon's whereon there ſhall be a ſeated plantation, without the owner's leave, having been once warned, ſhall forfeit and pay one thouſand pounds of tobacco, one half to our ſovereign lo king, his heirs and ſucceſſors, the other half to the party grieved, or thoſe who ſhall ſue fo ſame, to be recovered in any county court of this province by action of debt, bill, plaint or info tion, wherein no eſſoin, protection or wager of law to be allowed.

Criminals to pay their own fees.

VIII. AND BE IT FURTHER ENACTED, *by the authority, advice and conſent aforeſaid*, That from h forth no ſheriff, gaoler, clerk, crier, or other officer, ſhall charge either their own county to they belong, or the public, with any fees for any criminal committed to the charge of the ſaid or gaoler, having ſufficient eſtate in this province wherewith to pay the ſame, or being capa pay the ſame by ſervitude, but that ſuch criminals, being diſcharged by order and due courſe of ſhall pay their own fees to the ſheriff, gaoler, clerk and crier, and other officers, being ſuch a may demand according to law, either out of his eſtate, or by ſervitude, or otherwiſe.

Proviſo.

IX. PROVIDED ALWAYS, That this act ſhall not extend to malefactors that are executed, ſuch other perſons who are baniſhed, having no eſtate in this province, or to ſervants criminal whom the county ſhall pay ſuch fees as are due by the acts of aſſembly to the ſheriff, gaoler, crier, or other officers of ſuch court where ſuch criminal ſhall be convicted.

Officers fees, how to be paid.

X. AND BE IT FURTHER ENACTED, *by the authority aforeſaid*, That all officers fees due by from (a) criminal ſervants, ſhall be paid by the county where the facts ſhall be committed; and all and every ſuch criminal ſervants for whom the county ſhall pay the fees due by law to ſuch o as aforeſaid, ſhall, after the end and expiration of their time of ſervitude to their maſter or mi ſatisfy and pay unto the commiſſioners of the county who paid ſuch fees for them to the ſheriff, other officers as aforeſaid, for the uſe of the county, ſuch ſums as they have paid as aforeſaid; the ſeveral commiſſioners of the ſeveral counties ſhall, and are hereby empowered to make inqui after all ſuch ſervants, criminals, for whom the county hath defrayed the ſaid fees to the ſheriff, other officers as aforeſaid; and they, the ſaid commiſſioners, according to their beſt diſcretion, cauſe to be entered rules for the ſervants to make ſuch reaſonable ſatisfaction to the county as ſhall think fit, and in ſuch manner as they ſhall find convenient.

(a) By the act of 1727, ch. 2, all fees due on the proſecution of imported ſervants, were to be paid by the maſters, ſuch ſervants, and not by the public or county; and the owners (unleſs in caſe of conviction and execution for capital offe

recompence for such fees, by such servitude of the servants (not exceeding three years) as should be thought reasonable ounty court, &c. By May, 1766, ch. 6, the legal fees on the prosecution of any negro, or other slave, in any county whether convicted or acquitted,) shall be paid by and assessed in the levy of the respective counties where prosecuted. CHAP. XXVI.

ND, for the better security of the county which shall pay such fees for such criminal servants aid, BE IT ENACTED, *by the authority aforesaid*, That the master, mistress or dame of all such , be and are hereby enjoined and required, at the expiration of the time of such servant's e to such master, or mistress or dame, to render and deliver up to the sheriff of the county, se of the county aforesaid, such servants criminals as aforesaid, under the penalties to such mistress or dame, refusing or neglecting to deliver up such servants as aforesaid, of making ion to the county for all such fees as by the county aforesaid have been paid for such criminal aid; and such sheriff to whom such criminal servant shall be delivered as aforesaid, is hereby to receive and secure such servants criminals as aforesaid, so that he be and appear at the t county court to be held for the said county, to be disposed of as the said court shall con- Masters, &c. to deliver up servants, &c.

CHAP. XXVII.

CT for the punishing the offences of adultery and fornication.

Passed 3d of June, 1715.

. LL. No. 4. fol. 168.

R ENACTED, *by the King's most excellent majesty, by and with the advice and consent of his majesty's ernor, Council and Assembly of this province, and the authority of the same*, That after the end of on of assembly, whosoever shall, directly or indirectly, entertain, provide for, or cause to be ed or provided for, any lewd woman or women, or that shall frequent her or their company, t admonition to him or them be given by the minister, or the vestry, or the churchwarden hwardens of the parish where such person or persons shall inhabit, shall be adjudged a forni- adulterer, as the case shall be, and shall suffer such penalties as by this law is hereafter ap- Certain persons to be adjudged fornicators, &c.

ND BE IT FURTHER ENACTED, *by the authority, advice and consent aforesaid*, That every person s that shall commit fornication, and be thereof convict in the provincial or county court, confession, or verdict of twelve men, shall be fined thirty shillings current money of this , or six hundred pounds of tobacco, by the Justices before whom such conviction shall be, to s majesty, his heirs and successors, for the support of the county charge. Persons convict to be fined, &c.

ND BE IT ENACTED, *by the authority, advice and consent aforesaid*, That every person or per- shall commit adultery, and shall be thereof convict, either by confession, or verdict of twelve he provincial or any of the county courts of this province, shall be fined, by the justices be- m such conviction shall be, three pounds current money as aforesaid, or twelve hundred tobacco, to the king's majesty, his heirs and successors, towards defraying such county aforesaid. Penalty for committing adultery, &c.

ND, In case the said offenders, or any of them, shall not have wherewith to pay the several his act imposed, then the said offenders shall be adjudged to suffer corporal punishment, by upon his or their bare bodies till the blood do appear, so many stripes (not exceeding thirty- the justices before whom such conviction shall be shall adjudge. Offenders to suffer, &c.

OVIDED, That this act shall not be construed to extend, as to the fine, to women who have and do refuse to discover the father, or begetter of such children, but that in such cases it the discretion of the justices before whom such woman or women shall be convicted, either e fine by this act appointed, or to award corporal punishment, any thing in this act before trary notwithstanding. Proviso.

By the act of 1749, ch. 12, section 6, so much of this act as relates to corporal punishment for fornication, is repealed.

D, for the ascertaining what women shall be accounted lewd, BE IT ENACTED, *by the au- esaid, by and with the advice and consent aforesaid*, That it shall and may be lawful for the mi- stry and churchwardens of any parish where there is a minister, and for the vestry and dens where there is no minister, before any admonition by them or any of them given, in of the directions afore-mentioned, to give notice, or cause notice to be given, to any person by them, or the major part of them, suspected of lewdness or incontinency, and being or within their respective parishes, to appear before them, or the major part of them, at such place as they, or the major part of them, shall appoint; and on the appearance of such per- sons, to acquaint them of the suspicion that is had of them, and to hear what reasonable Minister, &c. to give notice, &c.

CHAP. XXVII.

excuſe ſuch perſons ſhall offer, why they ought not to be proceeded againſt according to law, nicators or adulterers, as the caſe ſhall happen; and in caſe the perſon or perſons having ſuch given them ſhall not appear according to ſuch notice, on affidavit of ſuch notice given, or app do not excuſe or acquit themſelves of the grounds of ſuch ſuſpicion, in ſuch manner as ſuch m veſtry and churchwardens as aforeſaid ſhall approve, that then it ſhall and may be lawful f miniſter, veſtry and churchwardens, or the major part of them as aforeſaid, and they are her quired, to admoniſh ſuch perſon or perſons, according to the directions afore-mentioned, wi monition, together with proof of the cohabitation of the parties ſo admoniſhed, or their freq the company of each other, contrary to, and after ſuch admonition given, ſhall be ſufficient e in any court of this province to convict the perſons ſo cohabiting, or frequenting each other pany, after admonition given as aforeſaid, of fornication, or adultery, as the caſe ſhall happe ſubject them to the penalties afore-mentioned, any law, ſtatute or cuſtom to the contrary n ſtanding.

This act is repealed by 1785, ch. 47, as far as it reſpects the proceedings againſt perſons guilty of fornication.

CHAP. XXVIII.

Paſſed 3d of June, 1715.

An ACT for taking ſpecial bail in the ſeveral counties of this pro upon actions or ſuits depending in his majeſty's provincial c and in the ſeveral county courts of this province. Lib. LL. 4. fol. 170.

Preamble.

FOR the greater eaſe and benefit of all perſons inhabiting or reſiding within this provi taking recognizances of ſpecial bail in all actions and ſuits depending, or to be depending majeſty's provincial or county courts of this province,

Special bail, how to be given.

II. BE IT ENACTED, *by the King's moſt excellent majeſty, by and with the advice and conſent of jeſty's Governor, Council and Aſſembly of this province, and the authority of the ſame,* That it h may be lawful to and for the defendant in any writ iſſued, or to be iſſued, out of the provincial after arreſt and bail given to the ſheriff for his appearance, and before the return of ſuch w go before one of the juſtices of the provincial court, or before the preſident or any two ju the county court where ſuch defendant ſhall be arreſted, with two ſufficient freeholders of t vince, ſuch as the juſtice or juſtices before whom ſuch defendant ſhall go ſhall approve of, a and there give ſpecial bail to any action wherein he ſhall be ſo arreſted by virtue of ſuch writ bail, ſo taken, ſhall be delivered to the ſheriff of ſuch county where the ſame is taken, to be returned, with ſuch writ, to the provincial court.

When ruled, to be given in open court, &c.

III. AND BE IT FURTHER ENACTED, *by the authority aforeſaid, by and with the advice and conſe ſaid,* That when ſpecial bail is required in the provincial court by the plaintiff's attorney calling over the appearance docket, and that the court does rule ſpecial bail ſhall be given, party, againſt whom the rule is given that he ſhall give ſpecial bail, be preſent, the party de ſhall then and there give ſpecial bail in open court, and ſhall be deemed to be in the cuſtody ſheriff that arreſted him in that action till he give ſpecial bail as aforeſaid; but if the ſaid p fendant be not able, at the provincial court, to procure ſuch ſpecial bail, then the ſaid party and remain in the cuſtody of the ſame ſheriff that arreſted him, and by him in ſafe cuſto guarded, and carried back into the county where the defendant was arreſted, and there in ſa dy kept, till he can procure ſuch ſpecial bail.

Recognizance, how to be taken.

IV. AND, For the greater eaſe of making and taking recognizances of ſuch ſpecial bail, it may be lawful for one of the juſtices of the provincial court of this province, or for the preſi any two juſtices of the county court, to take and receive every ſuch recognizances of bai perſon or perſons, who ſhall be deemed by him or them ſufficient ſureties, ſhall be willing or to acknowledge or make before him or them in the county, in any action or ſuit depending after to be depending, in the ſaid provincial court, which recognizances, ſo required to be t well before as after the return of the writ, ſhall be taken in ſuch manner and form as follow "John Doe, plaintiff, againſt Richard Roe, defendant. You A. B. and C. D. and either of "undertake for the ſaid Richard Roe, defendant in ———, to be levied on your, and "your lands and tenements, goods and chattels, to the uſe of the ſaid John Doe, the plainti "condition, That if the ſaid John Doe do obtain judgment in an action of ———, depe "the provincial court againſt the ſaid Richard Roe the defendant, that then the ſaid Rich "ſhall pay the condemnation of the court thereupon, or deliver himſelf to the cuſtody of t

——— county, in satisfaction thereof, or you or one of you will do it for him; they ac- CHAP. XXVIII.
wledge themselves to be content therewith, this —— day of ———, before me ———.
the honourable the Justices of the Provincial Court." Which said recognizance of bail so taken
resaid, shall be transmitted to the justices of the said provincial court sitting, when and where
ction or suit shall be depending, together with a warrant of attorney, signed by the said defen-
o giving bail, directed to some or any one of the attornies of the provincial court aforesaid;
recognizance of bail, so taken as aforesaid, the said court shall receive upon an appearance en-
for the said defendant by any one of the attornies of the said court, pursuant to such warrant,
to the several officers their lawful fees as have been received for the taking special bail in
; and shall be of like force and effect, as if the same were taken, *de bene esse*, before the justices
provincial court during their sitting; for taking of every such recognizance of bail, such jus-
of the provincial court, or president, or any two justices of the county court, that shall take
bail, shall receive only the sum of five shillings, and no more.

AND BE IT FURTHER ENACTED, *by the authority aforesaid*, That the justices of the provincial Court to make rules, &c.
shall make such rules and orders for the justifying of such bails, and making the same absolute,
them shall seem meet, so as the cognizor or cognizors of such bail or bails be not compelled to
r in person in the provincial court to justify him or themselves.

. AND IT IS HEREBY FURTHER ENACTED, *by the authority, advice and consent aforesaid*, That such Justices may examine sureties, &c.
es of the provincial or county courts before whom any recognizance of bail may happen to be
, shall have, and power is hereby given them to examine the sureties upon oath, touching the
of their respective estates, for the better satisfaction of the justice or justices that shall take the
bail, any law, usage, custom or practice to the contrary notwithstanding.

II. AND BE IT FURTHER ENACTED, That any justice or justices of any county court shall and may, And take special bail, &c.
pplication to them made by any person or persons whatsoever, on any action brought, or hereaf-
o be brought, in any county court of this province, take any special bail, according to the rules
e directed for taking special bail to any actions brought in the provincial court, for the taking of
h said recognizance of bail in the county court, the said justice shall receive as a fee or reward,
sum of two shillings and six-pence, and no more; and the said justices of the several county
ts, upon receiving the bail to be given as aforesaid, shall act and do in all things according to the
r by this act given to the justices of the provincial court aforesaid, and the bail so by them taken,
be as effectual to all intents and purposes in the county court, as the bails before directed shall
the provincial court, any law, statute, usage, custom or practice to the contrary notwithstanding.

CHAP. XXIX.

ACT providing what shall be good evidence to prove foreign and other debts, and to prevent Passed 3d of June, 1715.
xatious and unnecessary suits at law, and pleading discounts in bar. Lib. LL. No. 4. fol. 173.
epealed 1729, ch. 20.

CHAP. XXX.

ACT for repealing a clause in an act of assembly, entitled, An act for establishment of religious
orship in this province, &c. and also for appointing the oaths of abjuration to be taken in this
ovince. Lib. LL. No. 4. fol. 176.

CHAP. XXXI.

ACT ascertaining the height of fences, to prevent the evil occasioned by the multitude of horses, and restraining horse-rangers within this province, and to redress the great evil accruing to this province by the multiplicity of useless horses, mares and colts that run in the woods. Lib. LL. No. 4, fol. 178.

A Supplement 1769, ch. 18.

E IT ENACTED, *by the King's most excellent majesty, by and with the advice and consent of his majesty's Governor, Council and Assembly of this province, and the authority of the same*, That all enclosures by Enclosures to be five feet high, &c.
es, or otherwise, within the intention of this act herein after mentioned, shall be five foot high;
from and after the first day of May till the next tenth day of November next, and so yearly and every

CHAP. XXXI.

every year, all owners of any horſe or horſes, mares, colts and geldings, ſhall and are hereby ob to keep all ſuch horſe or horſes, mares, colts or geldings, within good and ſufficient encloſures, fe grounds or paſtures, upon the pains and penalties hereafter following.

After notice, horſes may be ſhot, &c.

II. AND BE IT FURTHER ENACTED, *by the authority aforeſaid, by and with the advice and conſent afor* That if the owner or owners of any ſuch horſe or horſes, mares, colts or geldings as aforeſaid, omit to take up, drive in, and keep up all ſuch horſes, mares, colts or geldings, and that ſuch ho mares, colts or geldings, ſhall break into the paſtures, corn-fields, or other encloſures of any inh tants within this province, within the time by this act limitted as aforeſaid, the ſaid owner or ow thereof having notice or warning thereof given him, her or them, two ſeveral times by the p grieved, and notwithſtanding the owner or owners of ſuch horſe or horſes, mares, colts or geld as aforeſaid, neglecting to perform what is by this law enjoined and required, that then it ſhall may be lawful for the perſon grieved and damnified, to ſhoot, kill or deſtroy any ſuch horſe or ho mares, colts or geldings as aforeſaid.

Proviſo.

III. PROVIDED ALWAYS, That no perſon whatſoever, though grieved or damnified, ſhall pref to ſhoot, kill or deſtroy, any ſuch horſe or horſes as aforeſaid, except upon his, her or their pr encloſed grounds, within his, her or their lawful poſſeſſion, by leaſe for years, yearly rent, or o lawful tenure, upon the penalty of paying the owner thereof the full value of ſuch horſe, geld mare or colt ſo killed or deſtroyed, to be recovered by action of treſpaſs, or action on the caſe, in county court of this province.

Stray horſes, how to be taken up, &c.

IV. AND BE IT FURTHER ENACTED, *by the authority aforeſaid, by and with the advice and co aforeſaid*, That whenever any horſe, mare or gelding, ſhall break into any corn-field, or other en ſure, and the owner be not known, that then, and in all ſuch caſes, it ſhall and may be lawful for party aggrieved to take up ſuch horſe, mare or gelding ſo treſpaſſing, and the ſame to carry be the next magiſtrate, who ſhall be obliged to take an account of the marks of ſuch beaſts, both natu and artificial, which the perſon aggrieved ſhall ſet up in the moſt public places in the ſame coun and, until the owner ſhall be known, it ſhall and may be lawful for ſuch injured perſon to uſe employ ſuch horſes, mares and geldings, without incurring the penalties in this act hereinafter i poſed, not injuring ſuch beaſt by any careleſs or wilful means, which beaſt ſhall be delivered in g order to the perſon owning the ſame, proving his property, by the teſtimony of one witneſs, be any magiſtrate.

By 1769, ch. 18, the party grieved ſhall ſet up ſuch account, deſcribing the marks, at the court-houſe door, and other p places, within five days, and cauſe them to be recorded, and alſo to be publiſhed in the Maryland Gazette, the expences paid by the owners; perſons acting contrary to forfeit ten pounds.

Penalty for taking, &c. other mens horſes, &c.

V. AND BE IT FURTHER ENACTED, *by the authority aforeſaid, by and with the advice and conſent af ſaid*, That whoſoever ſhall unlawfully, and without the knowledge and conſent of the owner, t another man's horſe, mare or gelding, and the ſame keep one hour in his poſſeſſion, (except i horſe, mare or gelding, be found a treſpaſſing as aforeſaid, and the owner not known,) and ſuch ho mare or gelding, ſhall, without conſent aforeſaid, occupy in any labour or travel, ſhall not only damages to the owner, but ſhall forfeit and pay the ſum of five hundred pounds of tobacco, one h to the informer, the other half to the party grieved, to be recovered in any county court of t province by action of debt, bill, plaint or information, wherein no eſſoin, protection or wager of l to be allowed.

Perſons not to apply, &c.

VI. AND, foraſmuch as divers complaints are made of the abuſes committed by ſuch perſons t have obtained commiſſions from the government to range the woods and foreſts after wild neat ca and horſes, it is prayed that it may be enacted, AND BE IT ENACTED, *by the authority, advice and c ſent aforeſaid*, That it ſhall not be lawful for any perſon, after the end of this preſent ſeſſion of aſſe bly, to make application to the governor, for the time being, to grant a commiſſion to range as afo ſaid, except ſuch perſon produce a certificate from under the hands of the juſtices of the coun courts where the ſaid perſon is to range, ſetting forth, that he is of good fame.

Nor to depute any other, &c.

VII. AND BE IT FURTHER ENACTED, *by the authority aforeſaid, by and with the advice and conſent afo ſaid*, That no perſon, commiſſionated as aforeſaid, ſhall depute any perſon as a deputy to range t woods and foreſts after wild neat cattle or horſes as aforeſaid, except ſuch perſon be likewiſe approv of by the juſtices of the county in which he is to range as a deputy.

Penalty for taking up young cattle.

VIII. AND, foraſmuch as it is neceſſary to declare at what age horſes, mares and cattle ſhall deemed wild, BE IT ENACTED, *by the authority aforeſaid, by and with the advice and conſent afore* Th

t ſhall not be lawful for any ranger within this province to take up and mark, or otherwiſe of, any unmarked horſe, mare, bull or cow, which ſhall not exceed the age of three years, penalty of ſuffering as any other perſon ought that hath not ſuch commiſſion, any law, uſage or to the contrary notwithſtanding. CHAP. XXXI.

And be it further enacted, *by the authority aforeſaid, by and with the advice and conſent* d, That the juſtices in each reſpective county within this province ſhall, yearly and every t their county courts in the months of November and March, during the continuance of this uſe it to be read in open court, and likewiſe give it in charge to the grand juries, to inquire breaches thereof committed by wood-rangers in that county. Act to be read in courts.

And be it further enacted, *by the authority aforeſaid, by and with the advice and conſent afore-* hat no perſon whatſoever ſhall preſume to range in the woods or foreſts after wild neat cattle es, without a licence from his excellency the governor in chief for the time being, under the of five thouſand pounds of tobacco for every ſuch before-mentioned wild creature that uch unlicenſed ranger ſhall kill, take, or convey away alive or dead, one half to his ma- is heirs and ſucceſſors, for the ſupport of government of this province, the other half to rmer, or him or them that ſhall ſue for the ſame, by action of debt, bill, plaint or informa- any court of record in this province, wherein no eſſoin, protection or wager of law to be al- Penalty for ranging the woods without licence, &c.

And be it further enacted, *by the authority aforeſaid*, That if any ranger or his deputy eſume to range, take up or kill, any wild neat cattle, horſe or mare, in any iſland or iſlands, or other encloſed grounds belonging to any of the inhabitants of this province, without the f the owner of the ſame, ſhall forfeit, for every beaſt ſo taken up or killed as aforeſaid, the five thouſand pounds of tobacco, one half to his ſacred majeſty, his heirs and ſucceſſors, to- he defraying the county charge where the ſaid offence or offences is committed, the other part party grieved, or to him, her or them that ſhall ſue for the ſame, to be recovered as afore- Cattle, &c. on iſlands not to be taken up, &c.

And, whereas the extravagant multitude of uſeleſs horſes, mares and colts, that run in the are found very pernicious and burthenſome to the inhabitants of this province, it is thought y that ſome ſuitable remedy be provided in that behalf; and therefore, Be it enacted, *by rity aforeſaid, by and with the advice and conſent aforeſaid*, That from and after the end of this ſeſſion of aſſembly, all ſtoned horſes ſhall be kept within good ſufficient encloſures; and in ſtoned horſe or horſes that have been taken up and broke fit for uſe ſhall happen to be found nd out of ſuch encloſures, it ſhall and may be lawful for any perſon or perſons whatſoever to and impound, or cauſe to be taken up and impounded, in ſome open pound, and there to de- , on the riſk of the owner thereof, or cauſe him to be ſo detained, until the owner or owners horſe, having ſpeedy and covenient notice of ſuch impounding, ſhall ſatisfy unto the perſon nding, or cauſing ſuch horſe to be impounded, the ſum of five ſhillings, or ſixty pounds of Stoned horſes to be kept in encloſures, &c.

And, That in caſe any ſtoned colt above eighteen months old, or ſtoned horſe unbroke, any time after the end of this preſent ſeſſion of aſſembly, be found looſe in the woods, or out encloſure, it ſhall and may be lawful for any perſon whatſoever, to ſhoot or otherwiſe kill roy ſuch horſe or colt, without being accountable or anſwerable to the owner or owners of ſe and colt, or any other perſon or perſons whatſoever, in any action or ſuit whatſoever; ſe any perſon or perſons ſhall at any time be ſued for any ſuch ſhooting, killing or deſtroy- oreſaid, it ſhall and may be lawful for ſuch perſon to give this act in evidence upon the gene- any law, ſtatute or cuſtom to the contrary notwithſtanding. If found looſe, &c. may be ſhot, &c.

And be it further enacted, *by the authority, advice and conſent aforeſaid*, That after the his preſent ſeſſion of aſſembly, it ſhall not be lawful for any perſon, not having land of his renting a plantation, to keep any breeding mare or mares in the woods, upon the penalty ndred pounds of tobacco for every breeding mare by ſuch perſon owned and kept, the one hich fines to go to his majeſty, towards defraying the county charge where ſuch offender de, the other half to the informer, or him or them that ſhall ſue for the ſame, to be re- y action of debt, bill, plaint or information, wherein no eſſoin, protection or wager of law owed. Certain perſons not to keep breeding mares, &c.

CHAP.

CHAP. XXXII.

Passed 3d of June, 1715.

An ACT for securing persons rights to town lands. Lib. LL. 4. fol. 183.

Preamble.

WHEREAS it is represented to this general assembly, that several persons of this pro and others, that have taken up lots in several town lands, laid out and surveyed for according to the directions of several laws of this province heretofore made; that is to say, o made at a general assembly held at the Ridge in Anne-Arundel county the second day of O one thousand six hundred eighty-three, entitled, An act for advancement of trade, and one ot made at a general assembly held at the city of St. Mary's the first day of April, one thous hundred and eighty-four, entitled, An additional and supplementary act to the act for advanc of trade, and the other act made at a general assembly held at the city of St. Mary's the t seventh day of October, one thousand six hundred eighty-six, entitled, A further additio to the act for advancement of trade, and the supplementary acts of the same, and one other a at a session of assembly begun and held at the city of St. Mary's the twenty-first day of Sept *anno domini* one thousand six hundred ninety-four, entitled, An act for erecting Anne-A and Oxford towns into ports and towns, as by the several acts of assembly remaining upon re the secretary's office of this province may appear; and notwithstanding the several persons, w lying and depending upon the benefits and privileges in the said laws granted,) have taken up the said towns, entered them and paid for them, or were ready to pay for them, as the law di and have built and improved thereon, yet they are now threatened, disquieted and disturbed persons claiming right to the said lands, upon pretence, that because the said acts are since re the titles of such takers up, builders and improvers, are destroyed, and die with the said trade, contrary to the true sense and rational construction of the same laws, or any other nature; to prevent therefore, and take off all such unnecessary doubts and scruples thereof,

Titles confirmed, &c.

II. BE IT ENACTED, *by the King's most excellent majesty, by and with the advice and consent of his Governor, Council and Assembly of this province, and the authority of the same,* That all and every pe persons, that, during the continuance of the before-mentioned acts of assembly, did take up, or tendered, or were ready to pay for any lot or lots of land, in any town land laid out and for town lands by the former laws, or any of them, and of the same lot made due entry, a built and improved upon the same, and followed the directions of the above-mentioned laws the said person or persons, so taking up, entering, building upon, and following the direc the said laws, their heirs and assigns, shall have, hold and enjoy, a good, sure, and inde estate of inheritance, in fee-simple, of, in and to every such lot and lots of land so taken built on as aforesaid, (according to the said laws and directions,) to them and their heirs f as fully, freely and amply, to all intents and purposes, as if the said former laws were still i and had never been repealed.

Proviso.

III. PROVIDED ALWAYS, That where any person or persons that hath or have so taken u and improved, and hath not paid the price set upon the same, that every such person is he joined to pay the said value of the said lot to the owner and claimer of the land, upon deman out fraud or covin.

IV. AND, whereas it is represented to this present general assembly, that several of the tants of this province, and others, that have taken up several lots in several town lands, and surveyed for towns according to the directions of several laws of this province lately ma is to say, one act of assembly made at a general assembly, begun and held at the port of A the second day of April, in the year of our Lord one thousand seven hundred and six, enti act for advancement of trade, and erecting ports and towns within this province of Mary other act made at a general assembly, begun and held at the port of Annapolis the fifteen April, one thousand seven hundred and seven, entitled, A supplementary act to the act for ment of trade, and erecting ports and towns, and one other act made at a general assembly province, held at the port of Annapolis the twenty-ninth day of November, *anno domini* one seven hundred and eight, entitled, An additional act to the supplementary act for advanc trade, and erecting ports and towns within this province, and for sale of some public h buildings in the town of St. Mary's, in St. Mary's county, as by the several acts of assembl said, remaining upon record in the secretary's office may appear, relying and depending on t fits and privileges in the said laws granted, did enter and build upon such lots, according t rections of the said laws, BE IT THEREFORE ENACTED, *by the authority, advice and consent* That all and every person and persons, that, during the continuance of the before-mention

Persons enabled to hold lots, &c.

e up a lot or lots, and thereon build, according to the dimenſions preſcribed by the ſaid laws, of them, in any town land laid out and allotted for a town by the former laws, or any of heir heirs and aſſigns, ſhall have, hold and enjoy, a good, ſure and indefeazable eſtate of in- ce, in fee-ſimple, of, in and to ſuch lot and lots ſo taken up and built upon as aforeſaid. CHAP. XXXII.

ROVIDED, That where the owner of any tract of land, laid out for a town by any of the d acts, is unpaid for any lot taken up and built upon according to the directions of the ſaid uch owners may, after requeſt made, have an action of debt for the value of ſuch lot, ac- to the value of the commiſſioners or jurors empowered to value the ſame by ſuch former law, any taker up or owner of any ſuch lot or lots that hath not paid for the ſame, his heirs, ex- or adminiſtrators, in any of his majeſty's courts of record within this province that can hold the ſame. Proviſo.

PROVIDED FURTHER, That this act, nor any thing therein contained, ſhall extend, or be con- to extend, to prejudice the right of Richard Bennet, Eſquire, to ſuch part of the land laid a town in Worton creek, in Kent county, whereon houſes, orchards and improvements were time of laying out that town. Proviſo.

AND BE IT FURTHER ENACTED, *by the authority, advice and conſent aforeſaid*, That where any or perſons whatſoever have taken up any lot or lots by virtue of the before recited acts of af- ſince the firſt day of Auguſt, one thouſand ſeven hundred and nine, and paid for the ſame to ner, but not built thereon, being diſcouraged by her late majeſty's diſallowance of the ſaid all and may, by virtue of this act, have the money or tobacco repaid him or them by the per- perſons that received the ſame, their executors or adminiſtrators, and for non-payment, after d made, to recover and ſue for the ſame in any court that may hold plea thereof. Perſons to be repaid.

I. AND BE IT FURTHER ENACTED, *by the authority aforeſaid*, That all and every lot or lots, par- portion of ground, aſſigned to the uſe of any community, and paid for, and built upon accord- the directions of any the aforeſaid acts, before her ſaid majeſty's diſallowance to the ſaid acts tified, ſhall remain to ſuch community for whoſe uſe it was built, her ſaid majeſty's diſallowance ſaid acts afterwards notwithſtanding. Lots, &c. to remain, &c.

AND, whereas ſundry perſons have taken up lots in divers towns of this province, and have to build, ſo that they have erected frames, though not quite finiſhed their houſes according to rections of the aforeſaid town laws, BE IT ENACTED, *by the authority aforeſaid*, That all ſuch s who have taken up lots, and erected frames in ſuch towns, ſhall have and enjoy a good, ſure, defeazable eſtate of inheritance, to them and their heirs, in ſuch lots ſo improved upon, not- nding they have not complied with the exact preſcriptions and directions of the aforeſaid town Rights con- firmed.

CHAP. XXXIII.

CT for ſtay of execution after the tenth of May, yearly. Lib. LL. No. 4. fol. 186. Re- ed after 10th May, 1792, by 1791, ch. 67. Paſſed 3d of June, 1715.

Supplementary, &c. acts, 1721, ch. 4, 1728, ch. 24, and 1732, ch. 22.

CHAP. XXXIV.

CT for the puniſhment of blaſphemy, profane ſwearing, curſing and drunkenneſs. Lib. LL. 4. fol. 188. Repealed by 1723, ch. 16.

CHAP. XXXV.

CT for the making good and valid a certain indenture or deed of bargain and ſale from Wil- Lunn, late of Anne-Arundel county, deceaſed, to Thomas Larkin, gentleman. Lib. LL. 4. fol. 194. A Private Act.

CHAP. XXXVI.

CT laying an impoſition on negroes, and on ſeveral ſorts of liquors imported, and alſo on Iriſh ants, to prevent the importing too great a number of Iriſh papiſts into this province. Lib. No. 4. fol. 197.

CHAP. XXXVII.

Passed 3d of June, 1715.

An ACT causing grand and petit jurors and witnesses to come to provincial and county courts, and ascertaining their allowa

Lib. LL. No. 4. fol. 203.

Sheriffs to send jurors to the provincial court, &c.

BE IT ENACTED, *by the King's most excellent majesty, by and with the advice and consent of his Governor, Council and Assembly of this province, and the authority of the same*, That after the cation hereof, the several and respective sheriffs of the several and respective counties with province, shall cause to come before the justices of the provincial court two men of the best a understanding freeholders of each respective county, to serve as grand jurors, and three fi good and lawful men of each respective county to serve as petit jurors, at every provincial cou the said sheriff shall return pannels accordingly, and twenty days notice shall be given by the to the jurors before the day of their appearance; and such sheriff or sheriffs as shall make d shall be fined by the justices of the provincial court one thousand pounds of tobacco, to his m his heirs and successors, for the support of the government of this province.

And to the county courts, &c.

II. AND BE IT FURTHER ENACTED, *by the authority aforesaid, by and with the advice and aforesaid*, That the several sheriffs of the several and respective counties aforesaid, shall cause t before the justices of the several and respective county courts, a competent and sufficient nu good and lawful men, of the best and most understanding freeholders of their several and re counties, to serve as jurors of the several and respective county courts, and the several sheri return pannels accordingly, and give notice to such freeholders ten days before the day of th pearance at the said county courts; and such sheriff or sheriffs as shall make default, shall be fi the justices of the county courts five hundred pounds of tobacco, to his majesty, his heirs a cessors, for the support of the government of this province.

Penalty for not attending, &c.

III. AND BE IT FURTHER ENACTED, That every person or persons, freeholders, returned several sheriffs to serve as jurors at the provincial courts, and having such notice of the day of their appearance as aforesaid, and shall not appear at the day, but make default, shall be fined justices of the provincial court one thousand pounds of tobacco; and every person or persons holders, returned by the several sheriffs of the several county courts, to serve as jurors at t county courts, and having such notice of the day of his or their appearance as aforesaid, a not make his or their appearance at the day, but make default, shall be fined by the justices county courts five hundred pounds of tobacco, to his majesty, his heirs and successors; b said fines to be to his majesty, his heirs and successors, for the support of the government province.

Proviso.

IV. PROVIDED NEVERTHELESS, That all magistrates, delegates, coroners, schoolmasters, ov of highways and constables, during their continuance in their respective stations or busines, exempt from any attendance as jurors.

Penalty on witnesses for not attending, &c.

V. AND BE IT FURTHER ENACTED, *by the authority aforesaid, by and with the advice and aforesaid*, That every person that shall be duly served with process to appear at the provincial as a witness to testify in any matter or thing there depending, and shall not keep his day of a ance, but make default, shall be fined by the justices of the provincial court one thousand pou tobacco; and every person that shall be duly served with process to appear in any of the courts of this province as a witness to testify in any matter or thing there depending, and sh keep his day of appearance, but shall make default, shall be fined by the justices of the county where such default shall happen the sum of five hundred pounds of tobacco, both which fines to his majesty, his heirs and successors, for the support of the government of this province; persons that shall be summoned as evidences, and shall make default as aforesaid, shall not liable to the fines aforesaid, but shall also be liable to answer the party for whom he shall be su ed, in an action upon the case, for the damages sustained for want of his appearance to testify ing to such summons, and shall be held to special bail on such action, and shall be liable to a con thereon for all damages that shall be sustained by such party for want of such evidence, and sh be liable on such default, at the request of the party for whom such evidence shall have bee moned, to have his, her or their body or bodies attached by process out of the court to whi were summoned, which such court is hereby authorised and required to award accordingly, by of which process the sheriff shall be obliged to have the body of such evidence at the court such writ shall be returned to, and shall oblige their attendance at the same court; and in c

CHAP. XXXVII.

ſummoned or attached, who being preſent, ſhall refuſe or delay to give his evidence, ſuch ſhall be committed to gaol, there to remain till he ſhall willingly do the ſame.

Provincial grand jurors to be allowed, &c.

ND, for the aſcertaining the expences of jurors and evidences, BE IT ENACTED, That it may be lawful for his majeſty's juſtices of the provincial court of this province to allow unto d jurors that ſhall ſerve in the provincial court, towards the defraying the expences of the rs for every court they ſhall attend, any quantity of tobacco not exceeding three thouſand of tobacco, at the diſcretion of ſuch juſtices, to be paid out of the public levy of this pro-

County court jurors allowance.

AND BE IT ALSO ENACTED, That it ſhall and may be lawful for the juſtices of the ſeveral ective county courts of this province to allow unto the grand jurors that ſhall ſerve in the nd reſpective county courts, any ſum of tobacco, at the diſcretion of the ſaid juſtices, not g five hundred pounds for each court they ſhall ſerve, to be paid out of the ſeveral and re- county levies.

Allowance to petit juries.

AND BE IT FURTHER ENACTED, That it ſhall and may be lawful for the juſtices of the pro- ourt to allow unto every petit juror ſummoned to ſerve in the ſame court, the ſum of thirty f tobacco for every day ſuch juror ſhall attend in ſuch ſervice, to be paid them in the public ides the ſum of one hundred and twenty pounds of tobacco, to be allowed every full jury l paſs their verdict in any cauſe, to be paid by the party for whom ſuch verdict ſhall paſs, and ed in the bill of coſt as uſual; and that the clerk of the provincial court for the time being of all perſons that ſerved as petit jurors in the provincial court, with an account of the of days they attended, and the counties they were returned for, before the committee for nd apportioning the public levy yearly, under the penalty of ſix thouſand pounds of tobacco ing, his heirs and ſucceſſors, for ſupport of government, to be recovered by bill, plaint or ion, wherein no eſſoin, protection or wager of law ſhall be allowed, for which he ſhall be n the public levy two hundred pounds of tobacco, and no more.

19, ch. 3, ſection 2, for the penalty on perſons giving more to a full jury than 120 pounds of tobacco, or 12 ſhillings

No perſon intereſted to ſerve.

ND, to prevent partiality in jurors, BE IT ENACTED, *by the authority, advice and conſent aforeſaid*, ſheriff ſhall ſummons any perſon to ſerve as a petit juror in any court whatſoever, where he owledge ſuch perſon hath any matter of fact depending for trial at the ſame court he is ſum- o ſerve in, and that no perſon having ſuch matter of fact depending for trial as aforeſaid, dmitted as a qualified juror between party and party, during the ſitting of ſuch court that ter of fact ſhall be, or expected to be tried in.

Allowance to witneſſes, &c.

D BE IT FURTHER ENACTED, *by the authority, advice and conſent aforeſaid*, That it ſhall and may l for the juſtices of the provincial court to allow unto every perſon or perſons that ſhall be ummoned to give their evidence in the ſaid courts the ſum of forty pounds of tobacco, and for every day they attend at ſuch court, together with their itinerant charges, as uſual, to ed by the court, and paid by the perſon ſummoning them, and to be charged in the bill of caſes of *meum* and *tuum*, and in all caſes criminal, to be paid according to the directions of aſſembly of this province for ſpeedy trial of criminals, and for the payment of their fees; it ſhall and may be lawful for the juſtices of the ſeveral and reſpective county courts of this to allow unto every perſon or perſons that ſhall be ſummoned to give their evidence in their nd reſpective courts, in any action or controverſy depending in the ſaid courts, the ſum of unds of tobacco for every day they attend as an evidence, until ſuch cauſe ſhall be ended, ore, to be paid in the ſame manner as evidences that attend the provincial court are herein rected to be paid.

t is inſerted at large, but moſt of its proviſions reſpecting the ſummoning of jurors, their fines, and thoſe on witneſſes, altered by ſubſequent acts. See February, 1777, ch. 15, October, 1777, ch. 16, March, 1778, ch. 8, October, 1778, tober, 1780, ch. 18, April, 1782, ch. 40, 1793, ch. 19, 1796, ch. 33, 1797, ch. 87, ch. 94, 1798, ch. 5. Paſſed 3d of June, 1715.

CHAP. XXXVIII.

aſcertaining the gauge and tare of tobacco hogſheads, and to prevent cropping and de- tobacco taken on board ſhips or veſſels upon freight, and for laying impoſitions on tobacco hogſhead for the ſupport of government, and for encouraging ſettlements in this province rtaining the manner of paying the alienation fines and quit-rents to the lord proprietary of ovince, on the conditions therein mentioned. Lib. LL. No. 4. fol. 206.

ain in force till the end of the next ſeſſion which ſhould happen after the 10th May next enſuing. Expired.

CHAP. XXXIX.

Passed 3d of June, 1715.

An ACT for the better adminiſtration of juſtice in teſtamentary affairs, granting adminiſtr recovery of legacies, ſecuring filial portions, and diſtribution of inteſtates eſtates. Lib No. 4. fol. 214.

The 10th ſection of this act is repealed by 1798, ch. 66, and the whole of the act is, on a careful examination and co deemed to be inconſiſtent with, and repugnant to, the act of 1798, ch. 101, and therefore, by the 2d ſection thereof, re

CHAP. XL.

An ACT directing the manner of ſuing out attachments in this vince, and limitting the extent of them. Lib. LL. No. 4. fol.

A Supplement 1795, ch. 56.

Preamble.

WHEREAS it is highly expedient to ſettle the manner of proceedings on attachmen limitting the extent of them, and to provide what ſhall be levied on ſuch attachments ecutions;

No attachment to iſſue, &c.

II. BE IT ENACTED, *by the King's moſt excellent majeſty, by and with the advice and conſent of his Governor, Council and Aſſembly of this province, and the authority of the ſame*, That from henceſo attachment ſhall iſſue out of any court of this province before a writ or ſummons be firſt ma upon which writ, if the party defendant be an inhabitant, or reſident within this province, ſheriff ſhall return a *non eſt inventus*, one other writ or ſummons ſhall thereupon, in manner af iſſue forth againſt the ſaid defendant; and if the ſheriff ſhall, upon the ſecond writ or ſumm turn a *non eſt inventus* likewiſe, an attachment ſhall and may, in manner and form hereafter ſe be awarded.

In caſe of ſuit, &c. juſtices to award attachment, &c.

III. AND, In caſe any writ or ſummons ſhall iſſue forth of any his majeſty's courts within t vince, againſt any perſon or perſons abſent out of this province, in ſuch caſe, upon the retu *non eſt inventus* by the ſheriff on ſuch writ or ſummons, and the party plaintiff his leaving attorney of ſuch abſent defendant (if he hath left any attorney) a copy of his declaration, note, expreſſing the cauſe of action, or if he hath left no attorney, then the plaintiff leaving of the ſaid declaration, or ſhort note, expreſſing the true cauſe of action, at the houſe where defendant abſent did laſt reſide or dwell, and making ſuch proof of his action as the ſaid re courts ſhall think fit, it ſhall and may be lawful for the juſtices of the ſaid courts to award an ment againſt the goods, chattels and credits of the ſaid abſent defendant, ſo as aforeſaid pro and not appearing to the ſaid action, which are or ſhall be in the hands and poſſeſſions of any or perſons whatſoever, yea, even in the plaintiff's own hands, for the defendant's uſe, in t vince, in which ſaid attachment there ſhall be a clauſe, commanding the ſheriff of the re counties, at the time of the executing the ſaid attachments, to make known to each perſon ſons in whoſe hands or poſſeſſions the ſaid goods, chattels and credits ſo attached are, if t them it ſhall ſeem meet, to be and appear, on the return of ſuch attachments, before the ju the reſpective courts out of which ſuch attachments are iſſued, to ſhew cauſe why ſuch goods, or credits, ſo attached as aforeſaid, ſhould not be condemned, and execution thereof had a as in other caſes of recoveries and judgments given in courts of record; at which day of r the ſaid attachment, if the ſaid defendant ſhall not then appear, nor the garniſhee, in who the aforeſaid goods, chattels and credits of the defendant were attached, to ſhew cauſe to trary, the reſpective courts ſhall and may condemn the ſaid goods, chattels and credits ſo as attached, and award execution thereof to be had and made by *capias ad ſatisfaciendum, fieri f* otherwiſe, as in other judgments, he, the ſaid plaintiff, ſo proſecuting as aforeſaid, giving ſufficient ſecurity before the juſtices of each reſpective court, to and for the uſe of the ſaid d ſo as aforeſaid being not found within this province, to make reſtitution of the ſaid goods, or credits, ſo as aforeſaid condemned, or the value thereof, if the defendant ſo as aforeſaid pr ſhall, at any time within one year and a day, to be accounted from the ſaid attachment come in, and either in perſon or by attorney appear to the ſaid original action, and make that the ſaid plaintiff hath been and is ſatisfied and paid the debt or demand in the ſaid a ſhall otherwiſe in court diſcount or bar the ſaid plaintiff of the ſame, or any part thereof; w condemnation and execution of the ſaid goods, chattels or credits, of the ſaid defendant, in of garniſhee or garniſhees as aforeſaid had and made, ſhall be ſufficient and pleadable in bar, by garniſhee or garniſhees, in any action brought againſt him or them by the ſaid defendant for

Proviſo.

IV. PROVIDED ALWAYS, That no ſheriff ſhall levy, by way of execution as aforeſaid, a ſaid garniſhee or garniſhees, any more than the plaintiff's debt and coſt, nor againſt any g

ees than what the ſaid plaintiff in the ſaid action ſhall make appear to the ſaid reſpective courts f the ſaid goods, chattels and credits of the ſaid defendant in each reſpective garniſhee or gar- hands, together with ſuch coſts only as the garniſhee or garniſhees ſhall put the plaintiff to, ying him or themſelves to be indebted to ſuch defendant, and conteſting the ſame. CHAP. XL.

PROVIDED ALSO, That no ſheriff, in any county within this province ſhall, by any attach- or any other execution had upon ſuch attachment, or any other execution whatſoever, levy, r take the goods and chattels of any the inhabitants of this province, ſo far as to deprive them ivelihood for the future, but that corn for neceſſary maintenance, bedding, gun, axe, pot, and ers neceſſary tools, and ſuch like houſehold implements and ammunition for ſubſiſtence, ſhall be ted from all attachments and executions whatſoever. Proviſo.

PROVIDED ALSO, That ſuch as ſhall be found by poſitive proof, or other circumſtances, wil- o abſent themſelves, or abſcond in the woods or elſewhere from the ſheriff's ſight, whereby annot be found to be brought to trial, and ſuch alſo as ſhall be abſent by flight or proſcription this province, to be averred upon oath, ſhall have no benefit of any favourable interpretation law. Proviſo.

. AND BE IT ENACTED, *by the authority aforeſaid*, That from henceforth, any perſon or perſons obtained a judgment in any court of this province, or that ſhall hereafter obtain any judgment court of this province, againſt any perſon or perſons, it ſhall and may be lawful to and for the laintiff in the ſaid judgment, at his will and pleaſure, inſtead of any other execution, without previous requiſites as above in this act preſcribed and directed, to take out an attachment againſt oods, chattels and credits of the ſaid defendant in the ſaid judgment, in the ſaid plaintiff's own , or in the hands of any other perſon or perſons whatſoever; which ſaid attachment ſhall like- ave the clauſe aforeſaid, commanding the ſheriff of the ſaid county to whom it ſhall be directed, time of executing the ſaid attachment, "to make known to ſuch perſon or perſons in whoſe or poſſeſſion the ſaid goods, chattels and credits of the abſent defendant ſhall be attached, that they be and appear at the reſpective courts at the day of the return of the ſaid attachment, to cauſe, (if they have any,) why the ſaid goods, chattels and credits, ſo as aboveſaid in their attached, ſhould not be condemned, and execution thereof had and made, as in other caſes of eries and judgments given in courts of record;" at which day of the return of the ſaid attach- if the ſaid defendant ſhall not then appear, nor the ſaid garniſhee in whoſe hands the ſaid , chattels and credits of the ſaid defendant were attached, to ſhew ſufficient cauſe to the contra- he ſaid reſpective courts ſhall and may condemn the ſaid goods, chattels and credits aforeſaid, aforeſaid attached, and award execution thereof to be had and made, either by *capias ad ſatis- dum*, *fieri facias*, or otherwiſe, as the ſaid plaintiff might have had againſt the defendant himſelf e judgment aforeſaid; which ſaid condemnation and execution of ſuch goods, chattels and cre- of the ſaid garniſhee as aforeſaid, had and made, ſhall be ſufficient and pleadable in bar by the arniſhee or garniſhees in any action againſt him or them by the ſaid defendant for the ſame. After judgement, attachment may be taken out, &c.

CHAP. XLI.

ACT for the better adminiſtration of juſtice in the high court of chancery, provincial and county courts of this province, for the more ſpeedy recovery of debts, eaſy obtaining of executions againſt perſons abſenting from the counties where the judgments were recovered againſt them, for preventing commiſſioners, ſheriffs, ſub-heriffs, clerks and deputy-clerks, to plead as attornies in the reſpective courts to which they belong, and for amerciaments in the provincial and county courts. Lib. LL. No. 4. fol. 232. Paſſed 3d of June, 1715.

E IT ENACTED, *by the King's moſt excellent majeſty, by and with the advice and conſent of his majeſty's Governor, Council and Aſſembly of this province, and the authority of the ſame*, That the juſtices of the ncial and county courts within this province do, with all convenient ſpeed after the publication is act, at the coſt and charges of the public, and their reſpective counties, purchaſe and procure, uſe to be purchaſed and procured, the ſtatute books of England to this time, and Dalton's Juſ- of the Peace, or ſuch other uſeful book of like ſort as ſuch juſtices ſhall think proper, where they ot already procured, for the uſe of their reſpective courts. Statutes to be purchaſed, &c.

II. AND

CHAP. XLI.

Juſtices to make rules, &c.

II. AND BE IT FURTHER ENACTED, *by the authority aforeſaid*, That the juſtices of the provincial of each reſpective county court within this province, by force and virtue of this act, may make rules and orders from time to time, for the well governing and regulating their ſaid courts, and officers and ſuitors thereof, as to them in their diſcretion ſhall ſeem meet, and under ſuch fines forfeitures as they ſhall think fit, not exceeding one thouſand pounds of tobacco in the provincial court, and five hundred pounds of tobacco in the county court, for any one offence, all which ſhall be to his majeſty, his heirs and ſucceſſors, for the ſupport of government.

Juriſdiction limitted, &c.

III. AND BE IT FURTHER ENACTED, *by the authority aforeſaid*, That any debt or debts of money or tobacco due to any perſon, being above the ſum of four hundred and not above the ſum of one thouſand pounds of tobacco, and being above the ſum of thirty-three ſhillings and four-pence and not above the ſum of fifty pounds ſterling in money, whereof the plaintiff is deſirous of a ſpeedy recovery againſt the defendant his debtor, in the county court, he ſhall proceed againſt ſuch defendant in manner and form following; that is to ſay, at the ſame time that the plaintiff ſues out his writ against the defendant, he ſhall file with the county clerk his declaration thereon, and the clerk ſhall make a copy of the ſaid declaration, and deliver the ſame to the ſheriff with the writ; and if the ſheriff can ſerve the ſaid writ upon the defendant, and deliver to the defendant the copy of the plaintiff's declaration, eight days before the return of the ſaid writ, then the defendant ſhall be obliged by virtue of this act, to go to trial with the plaintiff the ſame court in which the writ is returned, and ſhall not have any imparlance; and the juſtices of the ſeveral and reſpective county courts are empowered, by this act, to give judgment againſt the defendant, in caſe of his refuſal to plead or anſwer, as they might do in caſe of a legal trial had before them, except in ſome very extraordinary caſes of accidents, at the diſcretion of the ſaid juſtices.

This ſection was ſuſpended for the ſpace of two years by the act of November, 1788, ch. 27.

What balance ſhall nonſuit, &c.

IV. AND BE IT FURTHER ENACTED, *by the authority aforeſaid, by and with the advice and conſent of the ſaid*, That in all actions which ſhall at any time after the end of this ſeſſion of aſſembly be ſued and proſecuted in the county courts of this province, wherein upon trial it doth appear to the court that the juſt balance doth not exceed four hundred pounds of tobacco, or thirty-three ſhillings and four pence in money, the plaintiff ſhall be nonſuited.

By 1791, ch. 67, the ſum muſt exceed ten pounds or one thouſand pounds of tobacco in caſes ſuch as the juſtices of the county have juriſdiction of, or the plaintiff ſhall be nonſuited.

And what in the provincial court, &c.

V. AND BE IT FURTHER ENACTED, *by the authority aforeſaid*, That in all actions which ſhall at any time after the end of this preſent ſeſſion of aſſembly be ſued or proſecuted in the provincial court of this province, and upon trial it doth appear to the court that the juſt balance of the debt or thing demand is under fifteen hundred pounds of tobacco, or ſix pounds five ſhillings in money, the plaintiff ſhall be nonſuited.

By 1785, ch. 87, the damages in the general court muſt exceed one hundred pounds, except in actions for treſpaſs on real property, or the plaintiff ſhall be nonſuited.

Proviſo.

VI. PROVIDED NEVERTHELESS, That nothing in this act contained ſhall be conſtrued to give the ſaid provincial court any other juriſdiction than what is agreeable to the act of aſſembly (a) for relieving the inhabitants of this province from ſome aggrievances in the proſecution of ſuits at law, any thing herein contained to the contrary notwithſtanding.

(a) 1714, ch. 4, now expired.

What ſuits may be brought in chancery.

VII. AND BE IT ENACTED, *by the authority aforeſaid*, That his majeſty's high court of chancery within this province ſhall not hear, try, determine or give relief in, any cauſe, matter or thing wherein the original debt or damages doth not amount to twelve hundred and one pounds of tobacco or five pounds and one penny in money.

Record, &c. may be tranſmitted, &c.

VIII. AND BE IT ENACTED, *by the authority aforeſaid*, That when any perſon or perſons againſt whom any judgment or nonſuit ſhall be given in any county court of this province, ſhall fly, remove, or abſent him or themſelves out of the county, and juriſdiction of that court where ſuch judgment or judgments ſhall be given, that then, and in every ſuch caſe, the plaintiff or plaintiffs in every ſuch judgment or judgments, for the more eaſy obtaining the fruit and effect of ſuch judgment, whether the ſame be for coſts of nonſuit or otherwiſe, ſhall or may take the tranſcript of the record of ſuch judgment, under the ſeal of the court where ſuch judgment ſhall be obtained, and carry the ſame before the juſtices of the county court where the ſaid defendant or defendants ſhall happen to be, which tranſcript ſhall be entered upon the record of ſuch county court; and the juſtices of ſuch county court ſhall, by virtue of this act, award execution againſt the perſon or perſons againſt

uch judgment ſhall be rendered, by *capias ad ſatisfaciendum*, *fieri facias*, or attachment, for the amages and coſts in ſuch judgment or recovery mentioned, together with ſuch additional coſts be expended in ſuch court where ſuch execution ſhall be awarded, without ſuing out any writ *facias*. CHAP. XLI.

October, 1777, ch. 12, the clerks of the county courts where judgments are obtained, may iſſue executions to other coun- the return of which the plaintiff is to produce to that court a ſhort copy of the judgment, atteſted by the clerk.

AND BE IT FURTHER ENACTED, *by the authority aforeſaid, by and with the advice and conſent afore-* hat no perſon being in the commiſſion of the peace, no ſheriff or deputy-ſheriff, clerk or de- erk of thoſe courts wherein they bear office, ſhall plead as attornies for or in behalf of any or perſons, on penalty of forfeiting three thouſand pounds of tobacco for every ſuch offence, f ſuch offenders ſhall be found guilty, one half thereof to his majeſty, his heirs and ſucceſſors ſupport of the government of this province, the other half to the informer, or him or them ll ſue for the ſame, to be recovered in any court of record within this province, by bill, r information, wherein no eſſoin, protection or wager of law to be allowed. No magiſtrate, &c. ſhall plead, &c.

ND, for the diſcouragement of litigious ſuits that frequently ariſe in the provincial and coun- ts within this province, BE IT ENACTED, *by the authority, advice and conſent aforeſaid*, That all whatſoever, except executors and adminiſtrators, that are caſt in any cauſe, be they plain- defendant, ſhall be amerced, beſides the damages and coſts, in the provincial court, fifty of tobacco, to be employed as the governor and council ſhall think fit, and in the county hirty pounds of tobacco, to be employed and diſpoſed of towards defraying the county charge reſpective county. Perſons to be amerced, &c.

AND, for the due collection thereof, BE IT ENACTED, *by the authority aforeſaid*, That the clerk provincial court, and the clerks of the ſeveral county courts, keep an exact account of the ments, and deliver or ſend the ſame to the ſeveral ſheriffs of the particular counties, who are required to collect the ſame with the levy, and are accordingly empowered, for default of t, to make diſtreſs, and commanded not to return any in arrears, except in caſe of the debtor's ency. Clerks to keep accounts, &c.

AND BE IT FURTHER ENACTED, That the clerks of the ſeveral county courts give unto the ſtice of ſuch county court a liſt of the amerciaments every November court that ſhall have ach preceding year; and that the clerk of the provincial court lay a liſt of the provincial ments, as they ſhall yearly ariſe, before the governor and council of this province for the ng. Liſts to be given, &c.

CHAP. XLII.

T directing the manner of electing and ſummoning delegates and repreſentatives to ſerve in eding aſſemblies, and for aſcertaining the expences of the counſellors, delegates of aſſembly, ommiſſioners of the provincial and county courts of this province. Lib. LL. No. 4. fol. Paſſed 3d of June, 1715.

CHAP. XLIII.

T for the ordering and regulating the militia of this province, for the better defence and ſe- thereof. Lib. LL. No. 4. fol. 240.

CHAP. XLIV.

CT relating to ſervants and ſlaves. Lib. LL. No. 4. fol. 246.

Supplementary acts 1717, ch. 13, 1719, ch. 2, 1728, ch. 4, and 1748, ch. 19.

EREAS there have been ſeveral acts provided againſt ſervants, runaways, which have hereto roved ineffectual, in regard they do not ſufficiently provide encouragement for ſuch perſon or inhabitants of this province, as ſhould ſeize ſuch runaways or ſervants, by this act deemed ; therefore, for the better diſcovery, ſeizing and apprehending ſuch runaways, Preamble.

IT ENACTED, *by the King's moſt excellent majeſty, by and with the advice and conſent of his majeſty's Council and Aſſembly of this province, and the authority of the ſame*, That from and after the on hereof, no ſervant or ſervants whatſoever, within this province, whether by indenture, ing to the cuſtom of the country, or hired for wages, ſhall travel by land or water ten miles houſe of his, her or their maſter, miſtreſs or dame, without a note under their hands, or hand of his or their overſeer, if any be, under the penalty of being taken for a runaway, ffer ſuch penalties as are hereafter provided againſt runaways. No ſervant to travel, &c.

III. AND

CHAP. XLIV.

Penalty for abſenting themſelves.

III. AND IT IS HEREBY FURTHER ENACTED, *by the authority, advice and conſent aforeſaid*, T ſervant or ſervants, unlawfully abſenting him, her or themſelves, from his, her or their ſaid miſtreſs, dame or overſeer, ſhall make ſuch ſatisfaction by ſervitude, or otherwiſe, at the di of the juſtices of the county court where ſuch runaway ſervant did dwell, not exceeding t ſervice for any one day's abſence, with ſuch reaſonable coſt for his, her or their taking up court ſhall think fit, be it before or after the expiration of ſuch ſervant's firſt time of ſervi indenture or otherwiſe.

On perſons entertaining them, &c.

IV. AND BE IT FURTHER ENACTED, *by the authority, advice and conſent aforeſaid*, That any pe perſons whatſoever, that ſhall wittingly or willingly entertain any ſuch ſervant or ſlave unl abſenting him, her or themſelves as aforeſaid, ſhall be fined five hundred pounds of tobacco fo (a) night, or twenty-four hours, that ſuch perſon or perſons ſhall give ſuch entertainment as af the one half to his majeſty, his heirs and ſucceſſors, for the ſupport of government, and th half to the informer, or him or them that ſhall ſue for the ſame, to be recovered in any coun of this province by action of debt, bill, plaint or information, wherein no eſſoin, protection o of law to be allowed.

(a) By 1748, ch. 19, perſons wittingly or willingly entertaining any ſervants or ſlaves, unlawfully abſenting, &c. o ting them to be about their houſes or plantations, for one hour or longer, ſhall forfeit 100lb. tobacco for each hour, perſons unable to pay the penalty, are puniſhable by whipping, and ſhall give ſecurity for good behaviour, &c. alſo ſe ſlaves ſo offending may be whipped.

And on free negroes for harbouring them, &c.

V. AND BE IT FURTHER ENACTED, That if any free negro or mulatto ſhall harbour or en any ſuch ſervant or ſlave as aforeſaid, in every ſuch caſe, he or they ſo offending ſhall forf pay as aforeſaid, for every ſuch offence, the ſum of one thouſand pounds of tobacco, the one our ſovereign lord the king, his heirs and ſucceſſors, for the uſe of the free-ſchools, the oth to the party grieved, to be recovered as aforeſaid; and if any ſuch offending negro or mulat not an eſtate ſufficient wherewith immediately to ſatisfy and pay ſuch penalty as aforeſaid, it ſh may be lawful for the juſtices before whom ſuch matter is tried to order ſatisfaction, by ſervi otherwiſe, as they ſhall ſeem meet.

Certain perſons may be taken up, &c.

VI. AND, for the better diſcovery of runaways, IT IS HEREBY FURTHER ENACTED, *by the a advice and conſent aforeſaid*, That any perſon or perſons whatſoever within this province, tr out of the county where he, ſhe or they ſhall reſide or live, without a paſs under the ſeal of t county, for which they are to pay ten pounds of tobacco, or one ſhilling in money, ſuch pe perſons, if apprehended, not being ſufficiently known, or able to give a good account of the ſhall be left to the diſcretion and judgment of ſuch magiſtrate or magiſtrates before whom ſuch or perſons as aforeſaid ſhall be brought, to judge thereof, and if, before ſuch magiſtrate, ſuch or perſons ſo taken up, ſhall be deemed and taken as a runaway or runaways, he, ſhe or the ſuffer ſuch fines and penalties as are hereby provided againſt runaways.

Allowance for taking up runaways, &c.

VII. AND, for better encouragement of all perſons to ſeize and take up ſuch runaway HEREBY FURTHER ENACTED, *by the authority, advice and conſent aforeſaid*, That all and every ſon or perſons as aforeſaid, ſeizing or taking up ſuch runaways, travelling without paſſes as a not being able to give a ſufficient account of themſelves as aforeſaid, ſhall have and receive dred pounds of tobacco, to be paid by the owner of ſuch runaway ſervant, negro or ſlave, hended and taken up; and if ſuch ſuſpected runaway or runaways be not ſervants, and refu the ſame, he, ſhe or they, ſhall make ſatisfaction by ſervitude, or otherwiſe, as the juſtice provincial and county courts where ſuch perſon ſhall be ſo apprehended and taken up ſhall thi

Reward to Indians.

VIII. AND, For the better diſcovery of, and encouragement of our neighbour Indians apprehend or take up, any runaway ſervants or ſlaves, and bring them before a magiſtrate, t for a reward, have a match-coat paid him or them, or the value thereof, which ſaid reward paid and ſatisfied by the county where ſuch perſon ſhall be ſo apprehended; and ſuch run not a ſlave, to reimburſe the ſaid county by ſervitude, or otherwiſe, as the juſtices of the p or county court ſhall think fit.

Perſons apprehended, how to be diſpoſed of, &c.

IX. AND BE IT FURTHER ENACTED, *by the authority, advice and conſent aforeſaid*, That at w ſoever any of the ſaid perſons, runaways, ſhall be ſeized by any perſon or perſons within vince, ſuch perſon or perſons ſo apprehending or ſeizing the ſame, ſhall bring, or cauſe hi them, to be brought before the next magiſtrate, or juſtice of the county where ſuch runa prehended, who is hereby empowered to take into cuſtody, or otherwiſe him, her or them, and diſpoſe of, as he ſhall think fit, until ſuch perſon or perſons, ſo ſeized and apprehen

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d and ſufficient ſecurity to anſwer the premiſes the next court that ſhall firſt enſue in the ſaid which court ſhall ſecure ſuch perſon or perſons till he or they can make ſatisfaction to the at ſhall ſo apprehend or ſeize ſuch runaways, or other perſons, as by this act is required, uch perſon ſhall make ſatisfaction as aforeſaid before ſuch court ſhall happen; and that notice conveniently given to the maſter, miſtreſs, dame, or overſeer of runaways taken up as afore- commiſſioners of the counties ſhall forthwith cauſe a note of the runaway's name, ſo ſeized ehended as aforeſaid, to be ſet up at the next adjacent county courts, and at the provincial d ſecretary's office, that all perſons may view the ſame, and ſee where ſuch their ſervants in whoſe cuſtody.

Freedom dues, &c.

ND, furthermore, for aſcertaining what each ſervant, according to the cuſtom of the country, ve at the expiration of their ſervitude, BE IT ENACTED, *by the authority, advice and conſent* That every man ſervant ſhall, at ſuch time of expiration of his ſervitude as aforeſaid, have and given him one new hat, a good ſuit; that is to ſay, coat and breeches, either of kerſey d cloth, one new ſhift of white linen, one new pair of French fall ſhoes, and ſtockings, two d one axe, and one gun of twenty ſhillings price, not above four foot by the barrel, nor leſs ree and an half, which ſaid gun ſhall, by the maſter or miſtreſs, in the preſence of the next f the peace, be delivered to ſuch free man, under the penalty of five hundred pounds of to- n ſuch maſter or miſtreſs omitting ſo to do, and the like penalty on the ſaid free man ſelling ſing thereof within the ſpace of twelve months, the one half whereof to our ſovereign lord g, his heirs and ſucceſſors, the other to the informer; all women ſervants, at the expiration ſervitude as aforeſaid, ſhall have allowed and given a waiſtcoat and petticoat of new half- r penniſtone, a new ſhift of white linen, ſhoes and ſtockings, a blue apron, two caps of white nd three barrels of Indian corn.

Penalty on perſons dealing with ſervants, &c.

ND BE IT FURTHER ENACTED, *by the authority advice and conſent aforeſaid*, That no perſon ver ſhall trade, barter, commerce, or any way deal with any ſervant, whether hired or in- or ſlave, belonging or appertaining to any inhabitant within this province, without leave or firſt had and obtained from ſuch ſervant's maſter, miſtreſs, dame or overſeer, for his ſo doing, he penalty of two thouſand pounds of tobacco, the one half thereof to his majeſty, his heirs ceſſors, for the ſupport of government, the other half to the maſter, miſtreſs, or true owners goods ſo purloined, bartered or conveyed away, when proved by ſufficient witneſs, or con- f the party, to be recovered in any court of record of this province by action of debt, bill, r information, wherein no eſſoin, protection or wager of law to be allowed.

Party grieved may have action of damage.

AND BE IT FURTHER ENACTED, *by the authority, advice and conſent aforeſaid*, That if the goods d or bartered for as aforeſaid ſhall exceed the ſum of one thouſand pounds of tobacco, then y or parties, whoſe goods ſhall be embezzled or bartered away as aforeſaid, ſhall have his ac- law for the damage ſuſtained againſt the perſon or perſons ſo offending, dealing or bartering ſame, any thing in this act to the contrary notwithſtanding.

Offenders may be whipped.

AND, In caſe ſuch perſon or perſons ſo offending ſhall not be able to ſatisfy the ſame, then rſon or perſons ſhall be bound over by ſome one juſtice of the peace, and put in ſecurity, o appear at the next provincial or county court, where, upon conviction, by confeſſion or t witneſs, the offender ſhall be puniſhed by whipping on the bare back with thirty ſtripes.

Times of ſervitude ſettled.

AND, for the aſcertaining and limitting ſervants times of ſervitude, BE IT ENACTED, *by the , advice and conſent aforeſaid*, That whoſoever ſhall tranſport any ſervant into this province indenture, ſuch ſervant being above the age of twenty-two years, ſhall be obliged to ſerve time of five years; if between eighteen and twenty-two years, without indentures, ſix years; een fifteen and eighteen, without indentures, ſeven years; if under fifteen, without inden- hall ſerve till he or they arrive at the full age of twenty-two years.

To be completed.

AND BE IT FURTHER ENACTED, *by the authority, advice and conſent aforeſaid*, That all ſervants ted out of Virginia into this province, ſhall complete their time of ſervitude here which they have ſerved in Virginia, and no more.

Servants ages to be adjudged.

AND BE IT FURTHER ENACTED, *by the authority, advice and conſent aforeſaid*, That every maſter, dame, aſſignee or truſtee whatſoever, owning or keeping any ſuch ſervants as aforeſaid, by virtue of tranſportation, purchaſe, or otherwiſe, ſhall, within ſix months after the re- ſuch ſervants into their cuſtody, within this province, (except he, ſhe or they, claim but five

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years ſervice of ſuch ſervants,) bring the ſaid ſervants into the reſpective county courts where do inhabit, and every of the ſaid courts are hereby authoriſed to judge and determine of the ſuch ſervants ſo brought, and cauſe the ſame to be entered upon record; and every owner as ſaid neglecting or refuſing to bring ſuch ſervant or ſervants before the court as aforeſaid, ſh only ſtand to the determination of the court, but alſo forfeit the ſum of one thouſand pounds bacco to the king, his heirs and ſucceſſors, for the ſupport of government; and if any maſter vant aforeſaid be grieved with the determination of the court, he ſhall, within the time dete for their ſervice, produce an authentic certificate of ſuch ſervant's age, and ſhall have remedy ages afore-mentioned.

Servitude to commence from anchoring.

XVII. AND, foraſmuch as diſputes have formerly aroſe at what time ſervants time of ſer whether by indenture or otherwiſe, ſhould commence, BE IT ENACTED, *by the authority, ad conſent aforeſaid*, That all ſervants tranſported into this province, whether by indenture or oth and ſo bound or adjudged as aforeſaid, ſhall commence their time of ſervitude from the firſt an of the veſſel within this province.

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XVIII. PROVIDED, That the ſaid veſſel tarry not above fourteen days after her entry wit capes, and her firſt anchorage in this province; and all the days ſuch ſhip or ſhips ſhall tarry ginia above fourteen days, ſhall be adjudged part of the ſervice of ſuch ſervant which ſha terwards brought into Maryland, and there ſold, any law, uſage or cuſtom to the contrary n ſtanding.

Certain indentures to be void.

XIX. AND BE IT ALSO ENACTED, *by the authority, advice and conſent aforeſaid*, That every ture made by any ſervant, during the time of his ſervice by former indenture, or judgme county court, according to the tenor of this act, ſhall be void, and not any ways oblige any for longer time than by his firſt indenture or judgment of the court ſhall be limitted and appo

Owners to pay for ſervants taken up, &c.

XX. AND BE IT FURTHER ENACTED, *by the authority, advice and conſent aforeſaid*, That for runaway ſervants or ſlaves that ſhall be apprehended and taken up in the province of Penn or colony of Virginia, and from thence brought into this province, and delivered to a magi the county into which they ſhall be brought, the perſon, for ſo doing, ſhall have paid and allow by the maſter or owner of ſuch runaway, four hundred pounds of tobacco and caſk, or forty in money, upon his producing a certificate from the juſtice or ſheriff of the delivery of ſuch r except ſervants or runaways brought from Accomack into Somerſet county, for ſuch only t dred pounds of tobacco, or twenty ſhillings, and the like from that ſide of Virginia next t Patowmack; for which ſaid ſum or ſums paid, ſuch runaway ſhall make ſatisfaction when ſervice or otherwiſe, beſides what ſhall be adjudged as a recompence for the abſence of ſuch r ſervant as aforeſaid, as the court ſhall adjudge; but if ſuch perſon, ſo apprehended, brou delivered as aforeſaid, be a free man, and refuſe to pay ſuch ſum or ſums of tobacco or mon and in ſuch caſe the magiſtrate before whom he or ſhe ſhall be brought ſhall forthwith commit perſon ſo refuſing to priſon, till he or ſhe give ſufficient ſecurity, or make full ſatisfaction by ſe or otherwiſe.

Penalty on maſters for not providing food, &c.

XXI. AND BE IT FURTHER ENACTED, *by the authority aforeſaid*, That if any maſter or m any ſervant whatſoever, or overſeer by order or conſent of any ſuch maſter or miſtreſs, ſha and not provide ſufficient meat, drink, lodging and cloathing, or ſhall unreaſonably burth beyond their ſtrength with labour, or debar them of their neceſſary reſt and ſleep, or exceſſi and abuſe them, or ſhall give them above ten laſhes for any one offence, the ſame being ſu proved before the juſtices of the county courts, the ſaid juſtices have hereby full power and for the firſt and ſecond offence to levy ſuch fine upon ſuch offender as to them ſhall ſeem m exceeding one thouſand pounds of tobacco, to the uſe of his majeſty, his heirs and ſucceſſors, ſupport of government, and for the third offence, to ſet ſuch ſervant ſo wronged at liberty, from ſervitude; but in caſe the maſter or owner of any ſuch ſervant ſhall think that he or ſerves greater correction, then the ſaid maſter or owner of ſuch ſervant or ſervants ſhall or m them before any juſtice of the peace, who, hearing the complaint, ſhall order ſuch correcti ſhall ſee fit, not exceeding thirty-nine laſhes for any one offence.

Slaves, &c. to be ſlaves for life.

XXII. AND BE IT ALSO ENACTED, *by the authority aforeſaid*, That all negroes and oth already imported, or hereafter to be imported into this province, and all children now born, after to be born, of ſuch negroes and ſlaves, ſhall be ſlaves during their natural lives.

XXII

I. AND, forasmuch as many people have neglected to baptize their negroes, or suffer them ptized, on a vain apprehension that negroes, by receiving the sacrament of baptism, are tted and set free; BE IT HEREBY FURTHER DECLARED AND ENACTED, *by and with the authority, nd consent aforesaid*, That no negro or negroes, by receiving the holy sacrament of baptism, is manumitted or set free, nor hath any right or title to freedom or manumission, more than he had before, any law, usage or custom to the contrary notwithstanding.

No negroes to be free, &c.

V. AND BE IT FURTHER ENACTED, That all ministers, pastors and magistrates, or other per- atsoever, who, according to the laws of this province, do usually join people in marriage, t, upon any pretence, join in marriage any negro whatsoever or mulatto slave with any white on the penalty of five thousand pounds of tobacco, the one half to his majesty, his heirs and rs, for the use of free-schools, the other half to the informer, or him or them that shall sue same, to be recovered in any court of record of this province by action of debt, bill, plaint or tion, wherein no essoin, protection or wager of law to be allowed.

Ministers not to marry slaves.

e act of 1717, ch. 13, section 4, any free negro or mulatto intermarrying with any white person shall become a slave for cepting mulattoes born of white women, who shall only become servants for seven years; and any white man or woman rrying with any negro or mulatto, shall become a servant for seven years, to be disposed of at the discretion of the county nd applied towards the support of the county school.

I. AND BE IT FURTHER ENACTED, *by the authority aforesaid*, That any white woman, whether a servant, that shall suffer herself to be got with child by a negro or other slave, or free negro, man, so begot with child as aforesaid, if free, shall become a servant for and during the term n years, if a servant, shall finish her time of servitude, together with the damage that shall o such person to whom she is a servant, by occasion of any child or children begotten as afore- the time of her servitude as aforesaid, and after such satisfaction made, shall again become a for and during the term of seven years aforesaid.

Penalty on white women being got with child by slaves.

VII. AND, If such begetter of such child as aforesaid be a free negro, he shall become a servant during the term of seven years as aforesaid, to be adjudged by the justices of the county court uch fact is committed, according to this law, in the clause made and provided against such as have bastards; (and the issues or children of such unnatural and inordinate copulations, servants until they arrive at the age of one and thirty years.)

On free negroes for begetting such child.

VIII. AND, Any white man that shall beget any negro woman with child, whether free woman nt, shall undergo the same penalties as white women; all which times of servitude, by this osed upon the persons having so offended, to be disposed of or employed as the justices of such shall think fit, the produce whereof shall be appropriated towards defraying the county charge.

And on white men getting negroes with child.

728, ch. 4, free mulatto women, and their bastard issue, shall be subject to the same penalties as white women (and their e,) for having mulatto bastards, by the three preceding sections; and free negro women having bastards by white men, ir issue, shall be subject to the same penalties; and the proceedings thereon to be the same as above prescribed.

uch of the 26th and 27th sections as relates to the issue of the inordinate copulations mentioned in them, and in the 25th was repealed by 1790, ch. 9, (which is since repealed,) and also by 1796, ch. 67, in both which acts the rights of any to such issue before acquired was saved. So much of the 2d and 3d sections of the act of 1728, ch. 4, as relates to the rein mentioned, were repealed by the same acts, and with the same saving.

IX. AND BE IT FURTHER ENACTED, *by the authority aforesaid*, That any servant woman having d child, and not able sufficiently to prove the party charged to be the begetter of such child, y such case the mother of such child shall be liable to satisfy the damage so sustained, by ser- or otherwise, as the court before whom such matter is brought shall see convenient.

Servants having bastards to satisfy damages.

X. PROVIDED, That where the mother of any such child as aforesaid do prove her charge, ient testimony of witness, confession of the party charged, or pregnant circumstances, agreeing r declaration in her extremity of her pains or throws of travail, and her oath taken by some te before the time of her delivery of every such bastard child, or after her delivery, then y charged, if a servant, shall satisfy half the said damage, if a free man, shall satisfy the damage by servitude or otherwise, as the court before whom such matter is brought as afore- all think fit; but if the said free man cannot be brought to justice, then, and in every such shall make the same satisfaction as if she could not prove the begetter as aforesaid; and if mother as aforesaid be able to prove, by such testimony, or confession of the party charged, being a single person and a free man, did, before the begetting of such child, promise her e, that then he shall be at his choice, either to perform his promise to her, or recompence e according as the court before whom such matter is brought shall adjudge.

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Court may determine complaints, &c.

XXX. AND BE IT FURTHER ENACTED, *by the authority, advice and consent aforesaid*, That a end of this session of assembly, it shall and may be lawful for the provincial and county courts province to hear and determine any complaints between masters and servants, by way of p to give judgment and award execution upon the same; and that, upon appeal or writ of error upon the same from any county court of this province to the provincial court, or from the pr court to the governor and council, no such judgment shall be reversed for want of judicial or that the same was not tried by a jury, or any matter of form either in the entry or giving ment; provided that it appears by the record that the defendant was legally summoned, and demned unheard.

Disputes to be determined by petition.

XXXI. AND BE IT FURTHER ENACTED, *by the authority aforesaid*, That if any matter of arises concerning servants imported into this province, or any servant that binds himself f within this province, or any bound out by the county courts of this province, in relation to t dentures, contracts or wages, or any other matter of difference between the said master and s the same shall be tried, heard and determined, by petition as aforesaid, any law, statute or u the contrary notwithstanding.

Slaves not to carry guns, &c.

XXXII. AND BE IT ENACTED, *by the authority, advice and consent aforesaid*, That no negro o slave within this province shall be permitted to carry any gun, or any other offensive weapon off their master's land, without licence from their said master; and if any negro or other sla presume so to do, he shall be liable to be carried before a justice of peace, and be whipped, gun or other offensive weapon shall be forfeited to him that shall seize the same and carry i gro so offending before a justice of peace.

Servants stealing to be adjudged felons.

XXXIII. AND BE IT ENACTED, *by the authority aforesaid, by and with the advice and consent* That from and after the end of this session of assembly, any servant or servants whatsoever this province, that shall feloniously take or purloin his or their master, mistress or dame's g chattels, under the value of one thousand pounds of tobacco, shall be adjudged felony, an thereof lawfully convict in any county court of this province, shall be adjudged to pay fou the value of such goods so purloined, to his or their master, mistress or dame, which he, she shall make good by servitude, after the expiration of their first time of service, and shall all such pains of whipping or pilloring as the justices before whom such matter is brought shall ad

Persons taken up not to be m·· e than six months, &c.

XXXIV. AND BE IT FURTHER ENACTED, *by the authority, advice and consent aforesaid*, Tha any person or persons (except negroes and mulattoes) shall be found travelling without p aforesaid, and shall be taken up as suspected runaways, and by any justice of peace committe custody of any sheriff or gaoler within this province, it shall not be lawful for any such sh gaoler to hold such person in custody longer than six months; and if such person can, at a within the said six months, procure a certificate or other justification that he or she is no serv or she shall and may, by order of any two justices of the county where such person is comm prison, be discharged from any further imprisonment, he, she or they serving such sheriff or or his assigns, so many days as he, she or they were in custody of such sheriff or gaoler, or ot paying ten pounds of tobacco per day to such sheriff or gaoler for their imprisonment fees, more, and paying unto such person or persons who took up such person two hundred pound bacco, or serving him, her or them twenty days in lieu thereof; and if any such sheriff or ga detain such person in prison after such order of two justices aforesaid, or the expiration of six m and payment of ten pounds of tobacco per day as aforesaid, such sheriff or gaoler shall be liab action of false imprisonment, any law, statute or usage to the contrary notwithstanding.

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Passed 3d of June, 1715.

An ACT for ascertaining the bounds of lands within this province. Lib. LL. No. 4. fol. 2

This act was to commence the 1st June, 1716, and to continue in force three years, from that date. Expired.

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An ACT for the direction of sheriffs in their offices, and restra their ill practices within this province. Lib. LL. No. 4. fol.

A Supplementary act 1769, ch. 15.

Sheriff not to seize tobacco unstript, &c.

BE IT ENACTED, *by the King's most excellent majesty, by and with the advice and consent of his Governor, Council and Assembly of this province, and the authority of the same*, That no sheriff sheriff or deputy-sheriff, shall seize any tobacco unstript, or seize or mark any merchant's or tobacco received, marked and nailed, for any cause whatsoever, but only for levies due to the

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pariſh, or for the forty per poll to the miniſter; and the ſeveral ſheriffs are hereby empower-eak the lock of any tobacco-houſe, or other houſes where tobacco is or ſhall be ſecured with o prevent the ſaid ſheriff from ſeizing ſuch tobacco for levies and dues as aforeſaid; and any o ſeizing or marking any hogſhead or hogſheads of tobacco containing more than what is juſt-or levies and dues as aforeſaid, without ſatisfaction to the perſon to whom ſuch tobacco doth as by giving credit, or ſuffering him to take the overplus out of ſuch hogſhead of tobacco, choice of the party paying or owing the ſame, ſhall pay, for every ſuch default the ſum of uſand pounds of tobacco, one half to his majeſty, his heirs and ſucceſſors, for ſupport of go-nt, the other half to the party grieved, to be recovered in any court of record of this pro-y action of debt, bill, plaint or information, wherein no eſſoin, protection or wager of law lowed.

Party entitled to the greateſt ſhare to have the caſk.

ND, If it ſhall ſo happen that at any time any ſheriff ſhall ſeize any hogſhead of tobacco ſhall weigh more than ſuch levy or levies or dues as aforeſaid ſhall amount unto, if the re-g part due to the party or parties from whom they ſhall receive ſuch levy or levies or dues d be the greater quantity, then, and in every ſuch caſe, the ſheriff or ſheriffs ſhall take out ſaid hogſhead ſuch quantity or quantities of tobacco due to him for ſuch levy or levies, or dues eſaid, and the ſaid hogſhead, and the remaining part of the tobacco, ſhall be and remain with rty or parties paying the ſame, but if the remaining part of ſuch hogſhead of tobacco, ſo as aforeſaid, and belonging to the party or parties paying the ſame, ſhall be the leſs quantity due to the ſaid ſheriff or ſheriffs as aforeſaid, then, and in every ſuch caſe, the owner or of ſuch tobacco ſhall take out of the overplus of ſuch tobacco, and the hog ſhead, with the re-g part, ſhall belong to ſuch ſheriff or ſheriffs receiving the ſame.

firſt and ſecond ſections of this act were of no uſe during the continuance of the inſpection law of 1763, ch. 18, and dif-proviſions have ſince been made for the collection of public dues.

Bail bond not to exceed 8000 pounds of tobacco, &c.

ND, whereas many litigious perſons have, and for the future may commence actions of treſ-on the caſe, rather out of ſpite and malice than any real cauſe of action, and although they forth in the original writ the cauſe of ſuch action, yet lay their damage to a vaſt ſum, to deter s from being bail; for prevention whereof for the future, BE IT ENACTED, *by the authority, advice ſent aforeſaid*, That in all actions of treſpaſs upon the caſe, where damages are laid to be above houſand pounds of tobacco, if no declaration be ſent with the writ, expreſſing the true cauſe on, the ſheriff ſhall not require a bail bond exceeding the ſum of eight thouſand pounds of to-although the damages be marked on the writ for any greater ſum whatſoever; and any ſheriff ng herein ſhall forfeit the ſum of four thouſand pounds of tobacco, the one half thereof to his y, his heirs and ſucceſſors, for the ſupport of government, the other half to the party grieved, recovered in any court of record of this province, by action of debt, bill, plaint or informa-wherein no eſſoin, protection or wager of law to be allowed.

Public creditors may apply, &c.

ND, to the end that public creditors may be ſpeedily ſatisfied their debts due from the pub-E IT ENACTED, *by the authority, advice and conſent aforeſaid*, That every public creditor within rovince, ſhall be at his election to make application to the governor (a) of this province for me being to put ſuch ſheriff's bond or bonds in ſuit, or otherwiſe may immediately have an of debt againſt ſuch ſheriff, in any court of record within this province, for ſuch public to-as ſhall be due to ſuch creditors.

(a) Suits may now be brought on ſheriffs bonds without ſuch application.

When public dues are to be demanded, &c.

ND, to the end that no officer, or other perſon, may be ſurpriſed or unjuſtly moleſted, either he account of payment or collection of public dues, BE IT LIKEWISE ENACTED, *by the authority id, by and with the advice and conſent aforeſaid*, That any perſon or perſons having public tobacco them, or fees in any ſheriff's hands to collect, and that do not ſignify to ſuch ſheriff or ſheriffs dependence and reſolution of making uſe of the ſame, on or before the twenty-fifth day of De-r in the year the ſame ſhall be due to him or them, ſhall not have, take or demand, any benefit vantage by this act allowed for that preſent year, and ſo every year ſucceſſively, nor ſhall the of any reſpective county levy, by way of execution, any public dues or officers fees upon the goods or chattels of any the inhabitants of this province, except they have made a demand of at or before the twentieth day of February for that preſent year, and ſo every year ſuc-ly.

The proviſions in this ſection have been altered by the act for the regulation of officers fees.

No ſheriff ſhall execute, &c.

ND BE IT ALSO ENACTED, *by the authority, advice and conſent aforeſaid*, That any ſheriff with-s province, having in his hands public officers fees to collect, ſhall not preſume to levy, by exe-, upon the body, goods and chattels of any the inhabitants of this province, any fees to him committed

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committed to collect, where the perſon or perſons from whom ſuch fees appear to be due p the former ſheriff's receipt, or otherwiſe make appear the ſame to be paid, under the forfeitu penalty of treble the ſum executed to the party or parties grieved, to be recovered with coſt court of record within this province, by bill, plaint or information, wherein no eſſoin, protec wager of law to be allowed.

Form of a ſheriff's bond.

VII. AND, foraſmuch as ſheriffs bonds have been, of late years, uſually taken in the courts, for the better conveniency of ſheriffs getting ſecurity; for aſcertaining the form where the future, BE IT ENACTED, *by the authority, advice and conſent aforeſaid*, That all ſheriffs bonds after to be taken throughout this province ſhall be made in manner and form following; that is "Maryland, ſc. Know all men by theſe preſents, that we A. B. —— of —— county, in th "vince aforeſaid, are holden and firmly bound to our ſovereign lord king George, &c. in t "ſum and juſt quantity of two hundred thouſand pounds of good, ſound, merchantable leaf to "and caſk, to be paid to his ſaid majeſty, his heirs and ſucceſſors; to the which payment we "truly to be made, we bind ourſelves and every of us, our and every of our heirs, executors a "miniſtrators, jointly and ſeverally, for the whole and in the whole, firmly by theſe preſents. "with our ſeals, and dated the —— day of —— in the —— year of his majeſty's reign, "*domini* 17——. The condition of the above obligation is ſuch, that if the above bounden A. "well and truly ſerve his ſacred majeſty, his heirs and ſucceſſors, in the office of high ſheriff "county of ——, within the province aforeſaid, and in all things well and faithfully execu "ſame office, and alſo ſhall render to his ſaid majeſty, and other his officers, a true, faithful an "fect account of all and ſingular his ſaid majeſty's rights and dues, and to his officers a true a "account of their fees, that he ſhall or may be intruſted with by his ſaid majeſty's governo "other his officers within this province, to receive and collect, and his account to his ſaid m "his heirs and ſucceſſors, and to his and their governor here for the time being, for the fin "forfeitures, and other dues belonging to his ſaid majeſty's governor, as alſo his account of a "dues and ſums of money or tobacco due to any of the good people within this province, f "ſum or ſums of money or tobacco, wherewith the ſaid ſheriff ſhall be intruſted during the t "his ſhrievalty for this preſent ——, or to ſuch of them as ſhall require the ſame, ſhall pa "render, by the tenth day of May next enſuing the date hereof, and in all other things as ſhe "the county of —— ſhall behave himſelf well and honeſtly towards all perſons, according t "beſt of his power, ſkill and knowledge; then this obligation to be void, and of no effect, o "to ſtand in full force, ſtrength and virtue."

A different form is preſcribed by 1794, ch. 54, ſection 8.

To be tranſmitted, &c.

VIII. WHICH ſaid bond, taken in form aforeſaid, if by the county court, the commiſſioners of ſhall yearly tranſmit the ſame unto the ſecretary's office, within two months after the taking of, in default whereof, the commiſſioners of any county court taking ſuch bond, and not cauſi ſame to be ſo tranſmitted within the time aforeſaid, ſhall forfeit to his majeſty, his heirs and ſ ſors, fifteen hundred pounds of tobacco, the one half whereof ſhall be applied to the ſupport vernment, and the other to the informer, or ſuch perſon that will ſue for the ſame, to be rec in the provincial court of this province, wherein no eſſoin, protection or wager of law ſh allowed.

And laid before the governor, &c.

IX. AND, The ſaid ſecretary, and his chief clerk of the provincial court ſhall be obliged, next council after receiving any ſheriff's bond or bonds into the ſecretary's office, to lay the ſa fore his excellency the governor of this province for the time being, for his approbation or diſ ance of the ſecurities taken by the county courts; and the ſaid commiſſioners are hereby re and enjoined to take new ſecurity, yearly and every year, of ſuch ſheriffs, ſo long as they ſha tinue in the ſaid office, and tranſmit the ſame as aforeſaid, having a ſpecial regard not to adm perſon to be ſecurity as aforeſaid but ſuch as are good and ſubſtantial freeholders within their ties, and alſo to make the obligation of ſuch bond, ſo to be taken from any ſheriff, anſwerable public charge of their reſpective counties, which penalty ſhall not be leſs than two hundred tho pounds of tobacco as aforeſaid.

The proviſions in the 8th and 9th ſections are altered by 1794, ch. 54.

Sheriffs may be continued.

X. AND, for the encouragement of ſuch perſons now bearing, or that ſhall hereafter bear the of ſheriff, and who ſhall punctually comply with the public creditors, IT IS ALSO HEREBY FU ENACTED, *by the authority, advice and conſent aforeſaid*, That it ſhall and may be lawful for his m governor for the time being, where no juſt complaint is made againſt ſuch ſheriffs, to contin make good their commiſſion, for the time and term of three years ſucceſſively, but no longer.

See the conſtitution, ſection 42.

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They shall discount their own debts, &c.

AND BE IT FURTHER ENACTED, *by and with the advice and consent aforesaid*, That if any high r high sheriffs, being indebted to any person or persons, shall refuse to discount or allow the t of any public or county levy due from such person or persons, but will, notwithstanding the bt being due from the sheriff, take the body or goods of such person in execution, shall be be prosecuted in an action of trespass, or false imprisonment, as the case shall require.

And may be sued, &c.

AND BE IT FURTHER ENACTED, That the high sheriff of every respective county shall be be sued as aforesaid, for his own, or any of his deputies offence or offences against this act; debts mentioned, which the sheriff may owe to any inhabitant, are to be understood of such are assigned to the inhabitants in the public, county or parish levy, or forty per poll as afore- due from the high sheriff by bill, bond, note or account proved, any law, usage or custom to trary notwithstanding.

724, ch. 21, section 4, sheriffs shall discount their own debts out of any levies, &c. and allow the contents of any note on them by persons having tobacco in their hands, in favour of or endorsed to any person indebted to such sheriffs, so far shall owe the drawer of such note, without any deduction for such discount, on forfeiture of 2000 lb. tobacco for every

Bonds to be endorsed.

. AND, whereas there have been divers great complaints from several parts of this province general assembly, of several sheriffs and sub-sheriffs that have exacted and extorted great sums cco, above their due and lawful fees ascertained by the acts of assembly of this province, from of the inhabitants thereof, and though the laws of this province have inflicted a severe penalty ny officer that shall charge and receive more than his due fees, yet the said officers have most gly and craftily evaded the said laws, by taking bills, or writings obligatory, without ever ing any account signed under their hands, as the law directs, so that the party grieved cannot ntly prove the said extortion, and is thereby left without remedy; for prevention whereof, BE CTED, *by the authority, advice and consent aforesaid*, That no sheriff or sub-sheriff within this pro- after the publication of this act, in their several and respective counties wherein they dwell, ke any bond, bill, or any other writing obligatory, of any person or persons, upon any pre- whatsoever, without endorsing the account on the back of the said bond, bill, or writing obli- for which the same was passed; and if any sheriff or sub-sheriff within this province shall, the time that he remains in his place or office, upon any pretence whatsoever, take any bill, r writing obligatory, without endorsing the account on the backside of the said bond, bill, or g obligatory, as aforesaid, by which it may appear upon what consideration the same was the said bond, bill, or writing obligatory shall be void, and of no effect, and the officer or that took the same shall lose his debt, and for ever be debarred of suing any other action for covery of the same, any law, statute or usage to the contrary in anywise notwithstanding.

1769, ch. 15, no sheriff, &c. shall take any mortgage, promissory note, or inland bill of exchange, without endorsing on account, &c. And no sheriff shall take any bond or other writing, or receive any money claimed under his office, without ring a fair account of the consideration.

Time not to be reckoned.

. AND, that whereas the said officers are prohibited from taking bills upon any pretence ever, otherwise than as is directed by this act, during the time they remain in office, to the the said officers may receive no damage by the act of assembly for limitation of actions, BE IT ER ENACTED, *by the authority aforesaid*, That the time the said officers remain in office shall not koned or accounted in the act of limitation.

Single fees only allowed.

. AND, that whereas it hath been the practice of several sheriffs of this province, where a hath been in prison at the suit of two or three several persons, or hath lain for the satisfaction or more several judgments, for the sheriff to charge imprisonment fees for each action or judge- for prevention whereof for the future, BE IT ENACTED, *by the authority aforesaid*, That it shall lawful for any sheriff within this province to take any more fees for keeping any prisoner, he be in prison at the suit of two or three several persons, or for several judgments, than if in prison only at one suit, or for one cause, under the pains and penalties mentioned in the for limitation of officers fees, against the offenders thereof.

(a) 1704, ch. 86, which expired 1719.

Acts repealed.

I. AND BE IT FURTHER ENACTED, That a certain act of assembly of this province, entitled, restraining the extortions of sheriffs, sub-sheriffs, and deputy-commissaries, made at a session mbly, begun and held at the city of Annapolis the twenty-sixth day of April, *anno domini* one nd seven hundred and four, and one other act of assembly, entitled, An act of directions for the 's office in this province, and for the more easy payment of the public and county levy, made ssion of assembly, begun and held at the city of Annapolis the twenty-second day of October, *mini* seventeen hundred and thirteen, be and are hereby repealed and made void.

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Passed 3d of June, 1715.

An ACT for quieting poſſeſſions, enrolling conveyances, and ſecu the eſtates of purchaſers. Lib. LL. No. 4. fol. 269.

Supplementary and other acts 1725, ch. 8, 1752, ch. 8, November, 1766, ch. 14, June, 1771, (expired,) Novem ch. 3, November, 1779, ch. 10, November, 1782, ch. 23, 1785, ch. 9, ch. 66, ch. 72, 1791, ch. 45, 1794, ch. 57, 179 1797, ch. 103, 1798, ch. 103.

Preamble.

FORASMUCH as a good and beneficial law, entitled, An act for quieting of poſſeſſions, wa the twenty-ſeventh day of March, *anno domini* one thouſand ſix hundred ſeventy-one, province, which by the uſe thereof hath been found very much conducing to the benefit of province,

Sales to be good, &c.

II. BE IT THEREFORE ENACTED, *by the King's moſt excellent majeſty, by and with the advice and his majeſty's Governor, Council and Aſſembly of this province, and the authority of the ſame*, That all gifts and grants, at any time before the thirteenth day of April, one thouſand ſix hundred ſe four, (and not after,) of any lands, tenements or hereditaments, within this province, by ſon or perſons whatſoever that had right to ſell, give or grant ſuch lands, tenements or he ments, made by writing only, with or without ſeal, ſhall for ever hereafter be accounted g available in law to bar the heirs of ſuch vendors, donors or grantors, any error in the form ſuch writing to the contrary notwithſtanding.

Other ſales available, &c.

III. AND, foraſmuch as divers aſſignments of patents, written on the backſide of ſuch pa land, are now worn out, and alſo other ſales in paper either worn out or quite loſt, for wi purchaſe money hath been *bonâ fide* paid, BE IT FURTHER ENACTED, *by the authority, advice ſent aforeſaid*, That all ſales, gifts or grants, at any time before the ſaid thirteenth day of Ap thouſand ſix hundred ſeventy-four, made by perſons that right had as aforeſaid, if either t gift, grant or payment, *bonâ fide*, can be proved by witneſſes, ſuch ſale, gift or grant, ſhall hereafter be accounted good and available in law to bar the heirs of ſuch vendors, donors or g or any perſon claiming dower from ſuch vendor, donor or grantor, any law, uſage or cuſto contrary thereof notwithſtanding.

Sales of land good, &c.

IV. AND BE IT FURTHER ENACTED, *by the authority, advice and conſent aforeſaid*, That all ſa grants of any lands, tenements and hereditaments, made by deed indented and enrolled ſa ſaid thirteenth day of April, one thouſand ſix hundred ſeventy-four, or that hereafter ſha made and enrolled, ſhall be good and available in law, without livery of ſeizin.

Conveyances confirmed, &c.

V. AND, whereas in the year of our Lord one thouſand ſix hundred ſeventy-four, and in t ty-ſecond year of the dominion of the right honourable Cecilius, lord baron of Baltimore, good law was made, whereby it was enacted by his ſaid lordſhip, by and with the advice and of the upper and lower houſes of the then general aſſembly, that no manors, lordſhips, lands ments and hereditaments whatſoever within this province, ſhould alter, paſs or change from another, (as by the ſaid act relation being thereunto had more at large doth appear,) except th were acknowledged and enrolled as in the ſaid law is directed; BE IT THEREFORE HEREBY DE AND ENACTED, *by the authority, advice and conſent aforeſaid*, That whatſoever deed or deeds, ance or conveyances during the continuance of the ſaid law, were enrolled by virtue of the ſ within the time therein limitted, are and ſhall be taken and adjudged to be effectual in law, ac to the purport, intent and meaning of ſuch deed or deeds, conveyance or conveyances, e and if any deed or deeds, conveyance or conveyances, made during the continuance of t were ſealed and delivered, but not enrolled according to the intent of the ſaid law, IT IS ENACTED AND DECLARED, That nothing has paſſed by ſuch deed or deeds, conveyance or c ances, not enrolled as aforeſaid, the repeal of the ſaid law notwithſtanding.

Deeds, &c. to be effectual, &c.

VI. AND, whereas at an aſſembly held at the city of St. Mary's on the tenth day of Ma *domini* one thouſand ſix hundred ninety-two, in the fourth year of the reign of our late ſo lord and lady, king William and queen Mary, of bleſſed memory, an act for enrolment of conv and ſecuring the eſtates of purchaſers, was then made, whereby it was enacted, that no lands, tenements or hereditaments whatſoever, within this province, ſhall paſs, alter or cha one to another, whereby the eſtate of inheritance or free-hold, &c. ſhall take effect, &c. a ſaid law (relation being thereunto had) more at large doth appear, except the deed or dee veyance or conveyances, by which the ſame were intended to paſs, alter or change, fro another, were acknowledged and enrolled, as the ſaid law directs; BE IT HEREBY ENACT DEC

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ED, *by the authority, advice and conſent aforeſaid*, That whatſoever deed or deeds, conveyance eyances, during the continuance of the ſaid laſt mentioned act, were enrolled by virtue there- in the time therein limitted, are and ſhall be taken and adjudged to be effectual in law, ac- to the purport, intent and meaning of ſuch deed or deeds, conveyance or conveyances, ; and if any deed or deeds, conveyance or conveyances, made during the continuance of , were ſealed and delivered, but not enrolled according to the intent of the ſaid law, IT IS ENACTED AND DECLARED, That nothing has paſſed by ſuch deed or deeds, conveyance or nces, not enrolled as aforeſaid, the repeal of the ſaid act notwithſtanding.

AND, whereas at a ſeſſion of aſſembly, begun and held at the port of Annapolis the twenty- day of June, and ended the twenty-ſecond day of July, in the eleventh year of the reign of ſovereign lord king William the third, *anno domini* one thouſand ſix hundred ninety-nine, An enrolling of conveyances, and ſecuring the eſtates of purchaſers, was made, whereby, for the eſtabliſhing a way and method of conveying of manors, lands, tenements and hereditaments, avoiding the abuſes and deceits by mortgages, it was enacted by the king's moſt excellent by and with the advice and conſent of the ſame aſſembly, and the authority of the ſame, manors, lands, tenements or hereditaments whatſoever, within this province, ſhould paſs, change, from one to another, whereby the eſtate of inheritance or free-hold, or any eſtate for ſeven years, ſhould be made to take effect, &c. as by the ſaid act, relation being thereunto re at large doth appear, except the deed or deeds, conveyance or conveyances, by which the uld be intended to paſs, &c. were acknowledged and enrolled, as the law directs; BE IT ENACTED AND DECLARED, That whatſoever deed or deeds, conveyance or conveyances, Conveyances adjudged good, &c. uring the continuance of the ſaid law, were enrolled by virtue of the ſaid law within the time limitted, are and ſhall be taken and adjudged to be effectual in law, according to the purport, nd meaning of ſuch deed or deeds, conveyance or conveyances, enrolled; and if any deed or conveyance or conveyances, made during the continuance of that act, were ſealed and de- but not enrolled according to the intent of the ſaid law, IT IS HEREBY ENACTED AND ED, That nothing hath paſſed by ſuch deed or deeds, conveyance or conveyances, not en- s aforeſaid, the repeal of the ſaid act notwithſtanding.

. AND, for the better aſcertaining a way and method for conveying of manors, lands, tene- nd hereditaments for the future, and for the avoiding abuſes and deceits by mortgages, BE IT D, *by the King's moſt excellent majeſty, by and with the advice and conſent aforeſaid*, That from and Method of conveying aſcertained, &c. e publication hereof no manors, lands, tenements or hereditaments whatſoever, within this e, ſhall paſs, alter or change, from one to another, whereby the eſtate of inheritance or free- r any eſtate for above ſeven years, ſhall be made or take effect in any perſon or perſons, or any reof to be made, by reaſon of any bargain and ſale only, except the deed or conveyance by he ſame ſhall be intended to paſs, alter or change the ſame, be made by writing *indented* (a) led, and the ſame to be (b) acknowledged in the provincial court, or before one juſtice there- n the county court, or before two juſtices of the ſame, where ſuch manors, lands, tenements ditaments do lie, and enrolled within ſix months (c) after the date of ſuch writing indented eſaid; and for the taking of ſuch acknowledgment there ſhall be paid to the party or parties he ſame one ſhilling, and no more; and the clerk ſhall immediately, upon the receipt of ſuch ndorſe the time of his receiving the ſame on the back thereof, and ſhall well and truly enrol ed or conveyance in a good ſufficient book in folio, to be regularly alphabeted in the names of rties, and to remain in the cuſtody of the clerk of the ſame court for the time being, among ords of the ſame court, and that the ſame clerk ſhall, on the back of every ſuch deed, in a ible hand, make an endorſement of ſuch enrolment, and alſo of the folio of the book in which e ſhall be enrolled, and ſhall to ſuch endorſement ſet his hand.

By 1794, ch. 57, indenting is declared not neceſſary to the validity of deeds thereafter to be made.

By 1725, ch. 8, probats of deeds, &c. either in the mayor's court, or before two magiſtrates of the city of Annapolis, deeds of lands lying within the precincts of that city, and acknowledged, &c. ſhall be good in law, as if made and ac- dged before a provincial juſtice, &c.

By November, 1779, ch. 10, they are to be calendar months.

AND PROVIDED ALWAYS, AND BE IT FURTHER ENACTED, *by the authority aforeſaid*, That Proviſo. he grantor or grantors, bargainer or bargainers, of ſuch lands, tenements or hereditaments, e remote from either the provincial court, or county court where the land lieth, it ſhall and lawful for ſuch grantor or bargainer to acknowledge the ſame in the county where ſuch bar- live, and a certificate of ſuch acknowledgment, under the hand of the county clerk, and under of the ſame county, of ſuch acknowledgment, ſhall be taken, deemed, reputed, and be as d valid, as if the ſame had been acknowledged either in the provincial or county court where

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ſuch land lieth, and be a ſufficient warrant for ſuch county clerk, where the land lieth, to e ſame; and if any ſuch grantor or bargainer of any lands or tenements as aforeſaid, ſhall ha be out of this province, within any of his majeſty's dominions, at the time of the enſeali writing or writings indented, ſo as the ſame cannot be acknowledged, as is before directed, rolled within the time for that purpoſe herein before limitted, that in every ſuch caſe ſuch tenements as aforeſaid ſhall be acknowledged by a letter of attorney, well and ſufficiently either in the provincial or county court where ſuch lands or tenements lie, or before one the provincial court, or two juſtices of the county court as aforeſaid, and be enrolled as a any thing herein before contained to the contrary thereof notwithſtanding.

The act of November, 1766, ch. 14, (reciting that this act extends to conveyances by bargain and ſale only,) p mode (ſubſtantially the ſame) for the acknowledgment, &c. of every conveyance by which "any eſtate of inheritan hold, or any declaration or limitation of uſe, or any eſtate for above ſeven years," ſhall paſs or take effect.

Deeds, &c. when to take effect, &c.

X. AND BE IT FURTHER ENACTED, *by the authority aforeſaid*, That every ſuch writing i to be acknowledged and enrolled as aforeſaid, ſhall have relation, as to the paſſing and conv the premiſes, and the eſtate and eſtates thereby paſſed, or intended to be paſſed and conveyed, from the day of the enrolment of the ſame, and not from the day of the date thereof; (a) a at all times be conſtrued and taken more favourably and beneficially for the benefit and adva the grantee or grantees, and more ſtrongly for the barring the grantors therein to be named, cording to ſuch intents, as by the words thereof ſhall appear to have been the true intent of t ties thereunto, although the ſame be not ſo firmly drawn as is uſed in England, where the a counſel learned in the law may be eaſily had.

(a) By November, 1766, ch. 14, ſection 5, ſuch writings, deeds, &c. thereafter to be made, ſhall have relation veying the premiſes, &c. to the day of the date.

Proviſo.

XI. PROVIDED ALWAYS, That if any *feme-covert* be named as a grantor in any ſuch writing ed, the ſame ſhall not be in force to debar her or her heirs, except upon her acknowledgment ſame, and the perſon or perſons taking ſuch her acknowledgment, ſhall examine her private of the hearing of her huſband, "whether ſhe doth make her acknowledgment of the ſame and freely, and without being induced thereto by fear or threats of, or ill uſage by, her huſb fear of his diſpleaſure?" And that the perſon or perſons ſo examining her ſhall, (in a note o ficate of the taking of the ſaid acknowledgment,) certify her examination and acknowle thereupon, and that ſuch certificate be likewiſe enrolled upon record; in which caſe, and acknowledgments and certificates, *feme-coverts* ſhall be barred, and not otherwiſe, and ſhall barred of their dower by ſuch like acknowledgment, where they have only a right of dower eſtate conveyed, although not named in the deed thereof, any thing herein contained to the c notwithſtanding.

By 1752, ch. 8, the acknowledgment and examination of any *feme-covert* who reſides out of the province, taken b mayor of any corporation in Great-Britain or Ireland, or before one juſtice of the ſupreme court of any province or colo his majeſty's dominions, and certified by endorſement upon ſuch deed, under the hand of ſuch magiſtrate, and ſeal of t ration or colony reſpectively, ſhall be good in law to bar ſuch *feme-covert* of her right of inheritance or dower, as the ca

Proviſo.

XII. PROVIDED ALWAYS, AND BE IT FURTHER ENACTED, *by the authority aforeſaid, by and advice and conſent aforeſaid*, That where any acknowledgment or acknowledgments of any deeds, conveyance or conveyances, by them that right had to grant, bargain and ſell any lands, tenements or hereditaments within this province, have been made during the continu any the former recited acts of aſſembly before one juſtice of the provincial court, or before one of the council, and enrolled according to the direction of the former acts, ſhall be good and e in the law, to all intents, conſtructions and purpoſes whatſoever, any thing in this act cont the contrary thereof in anywiſe notwithſtanding.

CHAP. XLVIII.

Paſſed 3d of June, 1715.

An ACT for rectifying the ill practices of attornies of this pro and aſcertaining fees to the attorney-general, clerk of indictm attornies and practitioners of the law in the courts of this pro and for levying the ſame by way of execution. Lib. LL. N fol. 275.

No criminal proceſs to iſſue, &c.

BE IT ENACTED, *by the King's moſt excellent majeſty, by and with the advice and conſent of his Governor, Council and Aſſembly of this province, and the authority of the ſame*, That after the this ſeſſion of aſſembly, no proceſs for any criminal matter, or other miſdemeanor, ſhall iſſue any the courts of this province againſt any perſon or perſons whatſoever, without a preſent

d againſt the ſaid perſon or perſons by the grand jury, unleſs by a ſpecial order of *his excel- governor in council*, or of the provincial or county courts in this province; and if the attorney- or any other attorney of the provincial court, ſhall iſſue forth proceſs againſt any perſon or and no preſentment, *or order of his excellency the governor in council*, or order of courts, appear ord to juſtify the ſame, the ſaid attorney ſo offending ſhall forfeit and pay for ſuch his offence of five thouſand pounds of tobacco, the one half to his majeſty, his heirs and ſucceſſors, to- e ſupport of government within this province, the other half to the party grieved, or to him that ſhall inform or ſue for the ſame, to be recovered in the provincial court of this province plaint or information.

The parts of this ſection printed in italics have ceaſed to operate under the preſent conſtitution.

ND, If any clerk of the indictments in any county court of this province, or any other at- practiſing in the ſaid courts, ſhall iſſue forth proceſs againſt any perſon or perſons for any matter or miſdemeanor, without a preſentment be firſt found by the grand jury againſt the ſon or perſons, or eſpecial order of the governor in council, or county court, appearing upon o juſtify the ſame, the ſaid clerk of indictments or other attorney, ſo offending, ſhall forfeit for ſuch his offence the ſum of two thouſand five hundred pounds of tobacco, the one half majeſty, his heirs and ſucceſſors, towards the ſupport of government in this province, the alf to the party grieved, or to him or them that ſhall inform or ſue for the ſame, to be re- in the reſpective county courts of this province where ſuch offence was committed by action bill, plaint or information, wherein no eſſoin, protection or wager of law to be allowed, ſhall the party ſo offending have any appeal or writ of error, but the judgment of the county all be definitive therein. Penalty for iſſuing, &c.

AND, If the clerk of the provincial court of this province, or any of the clerks of the coun- ts of this province, ſhall iſſue out proceſs in criminal cauſes, without an order for the ſame, he hand of an attorney practiſing in the ſaid court or courts, to juſtify the ſame, the ſaid clerks ſo offending ſhall be liable to the ſame forfeitures and penalty of attornies ſo offending, ſaid forfeitures to be recovered as aforeſaid, and go to the uſes aforeſaid. Clerk iſſuing to forfeit, &c.

AND BE IT FURTHER ENACTED, *by the authority aforeſaid*, That the attorney-general of this e ſhall not recover nor receive any fee for any navigation bond put in ſuit, either where the te was (before the ſuit of the ſaid bonds,) lodged in the ſecretary's office of this province, re it can be proved that he knew that there was ſuch certificate returned, neither ſhall the orney-general receive or have any fee for any bond for country dues, where the ſaid bond ap- ot to be forfeited; and if the ſaid attorney-general, after the end of this ſeſſion of aſſembly, e any bond taken contrary to act of parliament, or any bond taken for country dues, and no exchange appearing proteſted, nor no other failure to forfeit the ſaid bond, or where the ſaid te is returned into the ſecretary's office appointed for keeping the ſame, any of which caſes ng to the provincial court, the ſaid attorney-general ſhall not only loſe his fees, but pay the y's fees, and what other charges the party hath been at in defending the ſame, to be ad- y the provincial court. Attorney-general to have no fees, &c.

AND, whereas ſeveral perſons have been ſued, in his majeſty's name, for a certain ſum, with- r mentioning for what the ſaid bond was taken, ſo that the perſons do not know what courſes or who to apply themſelves to; BE IT ENACTED, *by the authority aforeſaid, by and with the ad- conſent aforeſaid*, That when any writ is iſſued forth upon a navigation bond, taken in his ma- ame, it ſhall be endorſed on the backſide as followeth, For whom the perſon was bound, and year; if a ſheriff's bond, At whoſe requeſt and prayer it was ſued; or bond taken in any of fty's offices in this province, it ſhall be endorſed at whoſe requeſt it was ſued; and for want endorſement the writ ſhall abate, and the party grieved ſhall recover his coſts againſt the at- that ſued forth the ſaid writ. Bonds ſued to be endorſed, &c.

e of the proviſions in the fourth and fifth ſections have ceaſed to have any operation, and others have been changed by h. 54, ſection 10.

AND BE IT ENACTED, *by the authority aforeſaid, by and with the advice and conſent aforeſaid*, That ever the grand jury, in their reſpective county courts of this province, ſhall make a preſent- the breach of any the laws of this province, ſave only the act for ſpeedy trial of criminals, ertaining their puniſhment in the county courts when proſecuted there, if the party or parties ed confeſs his or their crime, and ſubmit to the court, then the clerk of indictments ſhall have ndred pounds of tobacco for his fee, and no more; but if the clerk of indictments draws a Clerk's fees on preſentment, &c.

CHAP. XLVIII.

bill of indictment upon the ſaid preſentment, and the party therein preſented traverſes ſuch p ment, or bill of indictment, and puts himſelf upon the country for trial thereof, then the c the indictments ſhall have two hundred pounds of tobacco for his fee, and no more.

Attornies fees limitted, &c.

VII. AND BE IT FURTHER ENACTED, *by the authority, advice and conſent aforeſaid*, That fr after the end of this preſent ſeſſion of aſſembly, there ſhall be paid to any attorney or other practiſing the law in any of the county courts of this province, for bringing, proſecuting or ing any action, of what nature or quality ſoever, to final judgment, agreement, or other end the ſum of one hundred pounds of tobacco, unleſs the principal debt and damage, or balance debt and damages ſued for and recovered, do exceed the ſum of two thouſand pounds of toba ten pounds ſterling, that th n the ſaid attorney ſhall have two hundred pounds of tobacco, more; and to any attorney, or other perſon practiſing the law in the provincial court, high c chancery, commiſſary's court, court of vice-admiralty, or for proſecuting or defending any writs of error, or any other matter or thing whatſoever, before his excellency the gover council, the ſeveral ſums hereafter expreſſed and ſet down; that is to ſay, for proſecuting fending any cauſe, plaint or action, of what nature ſoever, in the provincial court, to final ment, agreement, or other end thereof, the ſum of four hundred pounds of tobacco, and no for any fee in the high court of chancery, and court of vice-admiralty, ſix hundred pound bacco, and no more; for any fee in the commiſſary's court, four hundred pounds of tobacco, more; for any fee upon any writ of error, or appeal which ſhall be before his excellency the g and council, ſix hundred pounds of tobacco, and no more; and to his majeſty's attorney-gene any action in the provincial court, at the ſuit of his majeſty, indictment, preſentment or i tion, the ſum of four hundred pounds of tobacco, and no more, any law, ſtatute or cuſtom contrary in anywiſe notwithſtanding.

Penalty for aſking more, &c.

VIII. AND BE IT FURTHER ENACTED, *by the authority, advice and conſent aforeſaid*, That if torney, or other perſon practiſing the law in any of the aforeſaid courts, do preſume to aſk, take or demand, any greater or larger fee than before by this act appointed, and be thereof convicted, he ſhall be uncapable to practiſe the law in any court of this province for the futur

Specialties to be endorſed, &c.

IX. AND BE IT FURTHER ENACTED, *by the authority, advice and conſent aforeſaid*, That a bonds or other ſpecialties, taken by any attorney, or other perſon practiſing the law in an aforeſaid courts, or any bills, bonds or other ſpecialties, taken by any of the clerks of any court of this province, from and after the end of this ſeſſion of aſſembly, ſhall be endorſed backſide thereof, For what matter, or how the ſame did become due; and for default thereof, bills, bonds and ſpecialties, ſhall be void, any law, uſage or cuſtom to the contrary notwithſt

Attornies fees to be on execution, &c.

X. AND BE IT FURTHER ENACTED, *by the authority, advice and conſent aforeſaid*, That the fees herein before allowed to be taken by any attorney, or other perſon practiſing the law in the aforeſaid courts, ſhall be levied by way of execution, in ſuch manner and form as other fees are or have been levied; and all and every the ſheriffs of the ſeveral counties of this p are hereby obliged, authoriſed and empowered, to levy and execute the ſame accordingly, a ſtatute or cuſtom to the contrary notwithſtanding.

No clerk to deliver blank writs, &c.

XI. AND BE IT FURTHER ENACTED, *by the authority, advice and conſent aforeſaid*, That no c any courts within this province ſhall, after the end of this preſent ſeſſion of aſſembly, deliver attorney, ſheriff or other perſon, any blank writ or writs whatſoever, on penalty of ſix t pounds of tobacco, one half to his majeſty, his heirs and ſucceſſors, toward the ſupport of ment in this province, the other half to the informer, or him or them that ſhall ſue for the ſ be recovered by action of debt, wherein no eſſoin, protection or wager of law to be allowed.

No attorney to practiſe without being admitted, &c.

XII. AND BE IT FURTHER ENACTED, *by the authority, advice and conſent aforeſaid*, That from a the end of this preſent ſeſſion of aſſembly, no attorney, or other perſon whatſoever, ſhall prac law in any of the courts of this province, without being admitted thereto by the juſtices of veral courts, who are hereby empowered to admit and ſuſpend them (*ſalvo jure coronæ*) majeſty's pleaſure ſhall be known therein; but any attorney, or any other perſon practiſing in this province, or the plaintiff that ſhall ſue in any county court where he does not reſide, obliged to give ſecurity for the payment of all the officers fees that ſhall accrue upon any ſuit to be commenced, either at the time of the iſſuing of the writ in the action, or during the ance of the court to which ſuch writ ſhall be returned, on pain of paying ſuch fees himſelf, or ing his client to be nonſuited, in default of ſuch ſecurity to be given, or of ſuch attorney ſig

ntion to pay such fees, any law, statute, usage, custom, rule of court, or order from any per- CHAP. XLVIII.
the contrary notwithstanding.

PROVIDED ALWAYS, That nothing in this act shall extend, or be construed to extend, to Proviso.
ht to any courts of this province to admit any attorney, or other person practising the law,
ise in any court that has been already refused so to do by his excellency, and his majesty's
ble council, nor to any person that shall not qualify himself by taking the oaths appointed to
by act of parliament made in the sixth year of the reign of her late majesty, of pious memo-
tled, An act for the security of her majesty's person and government, and of the succession to
wn of Great-Britain in the protestant line.

CHAP. XLIX.

ACT declaring all laws heretofore made, which have been re- Passed 3d of June, 1715.
acted this session of assembly, to be repealed. Lib. LL. No. 4. . 280.

he explanatory act of 1719, ch. 16, containing a particular list of the laws hereby repealed.

HEREAS sundry laws of this province have been re-enacted this present session, many where- Preamble.
of are not particularly repealed by the laws re-enacting them; therefore, for the better as-
ing what laws are in force,

T IS HEREBY DECLARED AND ENACTED, AND BE IT ENACTED, *by the King's most excellent ma-* Laws repealed.
and with the advice and consent of his majesty's Governor, Council and Assembly of this province, and
ority of the same, That all such laws, or acts of assembly heretofore made, which have been
red and re-enacted this present session, be and are hereby declared to be repealed, abrogated,
d void, to all intents and purposes whatsoever.

PROVIDED ALWAYS, That nothing in this act shall be construed to extend to the prejudice of Proviso.
ion or suit already commenced in any the courts of this province, but that the same shall and
adjudged and determined in such manner as if this act had not passed.

SESSION of ASSEMBLY begun and held at the CITY of ANNAPOLIS, in the county of Anne-Arundel, the 17th day of ly, and ended the 10th day of August, in the second year of e dominion of the right honourable CHARLES, absolute lord and oprietary of the provinces of Maryland and Avalon, lord baron Baltimore, &c. *annoque domini* 1716, were enacted the laws llowing, viz. 1716.

JOHN HART, ESQUIRE, GOVERNOR.

CHAP. I.

ACT for repairing the damages already sustained in the records of Passed 10th of August, 1716.
e land, secretary's, commissary's, and county court offices, and the security of the same records for the future. Lib. LL. No. fol. 284.

upplementary and other acts relating to the records are, 1722, ch. 14, 1742, ch. 10, 1747, ch. 3, and 1748, ch. 7.

HEREAS, upon a view and inquiry into the records of the land, secretary's, commissary's Preamble.
and county court offices of this province, it appears, that sundry matters which have been recorded

CHAP. I.

recorded therein are entirely loſt, to the great prejudice of thoſe concerned, and a great p ſuch as remain are ſo very much worn and damnified, that without a ſpeedy care is taken fo amendment, it is like to prove of very ill and dangerous conſequences to the inhabitants province in general, the moſt valuable part of their eſtates entirely depending thereon; and much as the bad circumſtances of the records of the land, ſecretary's and commiſſary's offic owing, as well to the damages they ſuſtained by tranſporting them from St. Mary's to this c to the negligence of the ſeveral officers and clerks that have hitherto been intruſted therewit the want of good and ſufficient books at firſt, they not being under any obligation or penalty t ſuch books, or to keep them in due repair, notwithſtanding they have received the full profi benefits of the ſeveral offices they were intruſted with; for remedy whereof for the future, an the records of the ſeveral offices as aforeſaid, that ſtand in need of any amendments and repar may be ſpeedily and ſufficiently amended and repaired, in the beſt manner that is poſſible, charge of the public and reſpective counties, and that after ſuch reparations as aforeſaid, the ſ officers and clerks that ſhall from time to time be intruſted with any the ſeveral records afo and ſhall reap the profits and benefits of ſuch their offices, be obliged to find good and ſufficient for the future, and look after and maintain the record books committed to their care, in ſuch and reparation, from time to time, as they ſhall receive them,

Commiſſioners appointed, &c.

II. BE IT ENACTED, *by the right honourable the Lord Proprietary, by and with the advice and co his Lordſhip's Governor, and the Upper and Lower Houſes of Aſſembly, and by the authority of the ſame,* lieutenant-colonel Samuel Young, Mr. Joſeph Hill, Mr. Benjamin Taſker, and Mr. John Be any two or three of them, be and are hereby authoriſed, empowered and appointed, commiſſione inſpect into the ſeveral decays and defects of all the records of the land, ſecretary and commi offices, and to judge of the neceſſary amendments and reparations thereof, and to employ ſuch book-binders, or other perſons, as appear needful to them for the completing and perfectin amendments and reparations they ſhall adjudge neceſſary, and to contract and agree, on the be the public, with all ſuch perſons by them employed in that ſervice, on the beſt and eaſieſt term can, for ſuch ſum or ſums of tobacco as they ſhall adjudge the ſeveral perſons for their ſeveral ſe may deſerve, which ſums of tobacco agreed on as aforeſaid ſhall be paid by the public to the ſ perſons to whom the ſame become due.

After three months, the ſecretary, &c ſhall not take upon themſelves the keeping the records, &c.

III. AND BE IT FURTHER ENACTED, *by the authority aforeſaid, by and with the advice and aforeſaid,* That after the expiration of three months, which ſhall firſt happen after the reparation amendment of the records afore-mentioned are made, according to the deſign of this act, and the intent and meaning of ſuch agreement as ſhall be made by the commiſſioners hereby authoriſe required to make the ſame, it ſhall not be lawful for the ſecretary, commiſſary, their dep officers or under-clerks, who ſhall have the keeping of the land, ſecretary's or commiſſary's re committed to them, to take upon themſelves the keeping of any of the ſaid records, or to recei apply to their uſe any of the fees, profits or benefits ariſing from their ſeveral offices, unti ſecretary, or his deputies, or commiſſary-general, have entered into bond, with two good and ſuf ſecurities, in the name of the lord proprietary, before two of the juſtices of the provincial c that is to ſay, the (a) ſecretary or his deputies for the land, chancery and provincial records, ſum of one thouſand pounds current money, and the commiſſary for the records in the comm office in the ſum of one thouſand pounds current money, all which bonds ſhall be condition follows, viz.

(a) By 1742, ch. 10, ſection 2, the ſecretary's bond for the provincial office ſhall be for three thouſand pounds current the regiſter in chancery one thouſand pounds, the commiſſary-general for the commiſſary's office three thouſand pou regiſter of the land-office three thouſand pounds currency.

" The condition of this above written obligation is ſuch, That if the above bound ——, wh " ſhall continue in the office of ——, ſhall, at his own proper coſt and charge, find a ſupply o " and ſufficient record books, neceſſary for the entering up of all matters and things relating t " —— office, and ſhall duly and carefully look after, preſerve and maintain all the ſeveral bo " records now being and remaining in the ſaid office, as alſo thoſe that from time to time h " added thereto, in ſuch manner, as that when —— ſhall be diſmiſſed from officiating longer " ſaid office, ſhall deliver all the aforeſaid records to the next perſon that ſucceeds in the ſaid " in good order and repair, according to the true intent and meaning of the act of aſſembly " caſe made and provided, that then the above written obligation is to be void and of no " otherwiſe to remain in full force and virtue in law;" the which bond being ſo entered int taken by two juſtices of the provincial court as aforeſaid, they ſhall immediately call before the witneſſes to ſaid bond or bonds, and cauſe a probat thereof to be made before them, which the endorſe, or cauſe to be endorſed, on the back of the ſaid bond or bonds, with order immedia

e ſaid bond, with the endorſement, in the provincial land records, which ſhall be immediate- CHAP. I.
rmed by the proper clerk; and after ſuch entry upon record, the original bond is to be imme-
odged with the clerk of the council, in the council office, who is hereby required to take
f the ſame, and that an atteſted copy of the ſaid bond, from the ſaid provincial records, ſhall
od evidence in law, to maintain any action of debt to be brought for the breach of the con-
ereof, to all intents and purpoſes, as if the original bond were actually produced in ſuch caſe.

For the condition of the bond, as now required, ſee 1742, ch. 10, ſection 2.

ROVIDED, That although ſuch officers have entered into bonds, with ſureties as aforeſaid, Proviſo.
ring into ſuch bonds ſhall not be deemed a compliance with the directions of this act, at any
er the ſufficiency of ſuch ſureties ſhall be diſapproved of by the juſtices of the provincial court,
t ſitting, but that in caſe of ſuch diſapprobation, the officer or officers aforeſaid ſhall be
o enter into new bond, in form aforeſaid, with ſuch ſureties as the ſaid provincial court ſhall
of.

ND BE IT FURTHER ENACTED, *by the authority, advice and conſent aforeſaid*, That it ſhall and Bonds may be put in ſuit, &c.
lawful for any perſon whatſoever to put ſuch bond or bonds in ſuit, for any particular breach
to their reſpective damage, without any formal aſſignment of ſuch bond, and in caſe of re-
ſhall have the damages to be aſſeſſed by a jury awarded them, by the court before whom ſuch
ſhall be had, out of the penalty of ſuch bond; but in caſe of a nonſuit, ſhall ſatisfy the de-
his full coſt of ſuit, to be adjudged him againſt ſuch proſecutor, whoſe name ſhall be always
rſed on the back of the firſt proceſs that ſhall be ſerved on ſuch defendant, and be in ſuch en-
nt termed the proſecutor; and in caſe the lower houſe of aſſembly, or the juſtices of the pro-
court, ſhall at any time find cauſe to put in ſuit the bond or bonds taken for ſecurity of the
aforeſaid, the order or direction of the ſaid lower houſe of aſſembly, or of the juſtices of the
al court aforeſaid, ſhall be ſufficient to oblige the attorney-general for the time being to ſue
d, in his lordſhip's name, for the ſecuring the public from all charges and expences that ſhall
ſary for the putting or preſerving the afore-mentioned records in repair, according to the
ent and meaning of this act.

ND BE IT FURTHER ENACTED, *by the authority, advice and conſent aforeſaid*, That the com- Commiſſioners to inſpect the records, &c.
rs for the time being of the ſeveral county courts within this province, are hereby authoriſed
owered to inſpect their reſpective record books, and to judge what reparations they ſhall
eedful, which reparations and amendments, if any they ſhall adjudge neceſſary, they ſhall,
convenient ſpeed, cauſe to be made, and agree with ſuch perſon or perſons as they think
able to perform the ſame, upon the beſt and eaſieſt terms they can (on behalf of their reſpec-
nties,) in tobacco, which tobacco the perſons employed, performing and finiſhing the repara-
d amendments aforeſaid, ſhall be allowed in their ſeveral and reſpective county levies; and
h reparations made, where wanted, or after inſpection as aforeſaid, where no reparation is
neceſſary, it ſhall not thenceforward be lawful for the clerks of the ſeveral and reſpective
courts to receive or apply to their uſe any of the fees and profits ariſing from their office, un-
have entered into bond before the county court, with two ſufficient ſureties, to be taken in
ſhip's name, in the (a) ſum of two hundred pounds current money, with condition as above
aw is already expreſſed; which bond ſhall be immediately proved in ſuch manner as above ex-
before the ſaid court, or any two juſtices thereof, who ſhall cauſe the ſame immediately to
ed by the clerk in the county records for conveyances of land, and the original bond ſhall be
n the council office as aforeſaid, and that a true atteſted copy of ſaid bond ſhall be good evi-
law, in all ſuch caſes as in this law is already above expreſſed, the ſame bond to be put in
boveſaid, with damages and coſts, to be recovered on any ſuch breach as aboveſaid, in caſe
ery, and in caſe of nonſuit, the coſts to be adjudged againſt the proſecutor as aforeſaid, and
ecutor's name to be endorſed on the back of the firſt proceſs as aforeſaid; and alſo ſuch bond
t in ſuit by the order of ſuch county court, as often as it ſhall be found neceſſary for the in-
of the county.

y 1742, ch. 10, ſection 2, the ſecurity given by each county clerk ſhall be for the ſum of one thouſand pounds current

ROVIDED, That neither the public, nor any county, ſhall be burthened with any coſts of Proviſo.
where they ſhall happen to be proſecutors.

act has not been repealed, but the proviſions it contains have been conſiderably altered by the adoption of the preſent con-
and by acts of aſſembly.

CHAP.

CHAP. II.

Paſſed 10th of Auguſt, 1716. A Supplementary act to the act for killing wolves, crows and ſquirrels. Lib. LL. No. 4. f
Repealed by 1723, ch. 5.

CHAP. III.

An ACT for transferring the payment of all ſuch fines and forfeitures, as ſhall hereafter
happen upon the breach of any the penal laws of this province, to the right honourable
proprietor. Lib. LL. No. 4. fol. 289.

CHAP. IV.

An ACT for confirming and making valid in law a conveyance of land made by Anthony
Anne his wife, lately deceaſed, to Richard Moore, and Edith his wife, of Queen-Anne's
Lib. LL. No. 4. fol. 291. A Private Act.

CHAP. V.

An ACT for the better ſecurity of the peace and ſafety of his lordſhip's government, and
teſtant intereſt, within this province. Lib. LL. No. 4. fol. 295.

CHAP. VI.

An ACT for laying the additional duty of four pounds current money per poll on all Iriſh
to prevent the importing too great a number of Iriſh papiſts into this province, and four
current money per poll, an additional duty on all negroes, for raiſing a ſupply towards
the public charge of this province. Lib. LL. No. 4. fol. 300. Diſſent.

CHAP. VII.

* 1712, ch, 11. An ACT repealing an act, entitled, * An act againſt ſtriking ſundry ſorts of fiſh within the
of this province. Lib. LL. No. 4. fol. 301.

CHAP. VIII.

An ACT aſcertaining the gauge and tare of tobacco hogſheads, and to prevent cropping, cut
defacing tobacco taken on board ſhips or veſſels upon freight, and for laying impoſitions on
per the hogſhead, for the ſupport of government, and for the encouraging ſettlements
province, by aſcertaining the manner of paying his lordſhip's alienation fines and quit-rents
term therein propoſed, and for taking off the three-pence per hogſhead formerly raiſed for
lic charge. Lib. LL. No. 4. fol. 302.

To be in force till the 29th September, 1720. Expired. A new act was made under the ſame title, 1717, ch. 7, w
act was then ſuperſeded.

CHAP. IX.

An ACT for confirming and making valid in law a conveyance of land made by Anthony
Anne his wife, lately deceaſed, to John Alla, of Queen-Anne's county. Lib. LL. No.
311. A Private Act.

CHAP. X.

An ACT for confirming and making valid in law a conveyance of land made by Anthony
Anne his wife, lately deceaſed, to Thomas Davies and John Davies, the ſons of John Dav
of Queen-Anne's county, deceaſed. Lib. LL. No. 4. fol. 316. A Private Act.

CHAP. XI.

An ACT directing the manner of electing and ſummoning del
and repreſentatives to ſerve in ſucceeding aſſemblies, and for
taining the expences of the counſellors, delegates of aſſembly,
commiſſioners of the provincial and county courts of this pro
Lib. LL. No. 4. fol. 321.

Preamble. FORASMUCH as the chiefeſt and only foundation and ſupport of any kingdom, ſtate or
wealth, is the providing, eſtabliſhing and enacting good and wholeſome laws for the
and government thereof, and alſo upon any neceſſary and emergent occaſion to raiſe and lev
for defraying the charge of the ſaid government, and the defence thereof, neither of which
ing to the conſtitution of this province, can be made, ordained, eſtabliſhed or raiſed, but by
the conſent of the freemen of this province, by their ſeveral delegates and repreſentatives
freely nominated, choſen and elected, to ſerve for their ſeveral cities and counties in a gener
bly; and foraſmuch as the ſafeſt and beſt rule for this province to follow, in electing ſuch

CHAP. XI.

ſentatives, is the precedents of the proceedings in parliaments in Great-Britain, as near as tution of this province will admit, the governor, upper and lower houſes of this preſent ſſembly, do humbly pray that it may be enacted,

Writs of election to iſſue, &c.

D BE IT ENACTED, *by the right honourable the Lord Proprietary, by and with the advice and conſent ſhip's Governor, and the Upper and Lower Houſes of this preſent General Aſſembly, and the authority e*, That for the future, when and as often as his excellency the governor of this province time being ſhall, upon any accident and urgent affair of this province, think fit to call and an aſſembly, and to ſend out writs for electing of burgeſſes and delegates to ſerve in ſuch ſuch writs ſhall iſſue forth forty days at leaſt before the meeting of ſuch aſſembly; the form writs for election of delegates and repreſentatives, ſhall be as followeth: "CHARLES, e lord and proprietary of the provinces of Maryland and Avalon, lord baron of Baltimore, &c. ſheriff of ——— county, greeting. Theſe are to command, authoriſe and empower you, ately upon receipt hereof, to call together three or more juſtices of your county, whereof be of the quorum, with the clerk of the county court, who are hereby required to ſit as a and during their ſitting, by virtue of your office, to make, or cauſe to be made, public proion, thereby giving notice to all the freemen of your ſaid county, who have within the ſaid a free-hold of fifty acres of land, or who ſhall be reſidents, and have a viſible eſtate of forty ſterling at the leaſt, thereby requiring them to appear at your county court-houſe, at a cerme, not leſs than ten days after ſuch proclamation made, for electing and chooſing deputies legates to ſerve for your ſaid county in a general aſſembly, to be holden at ———, the ——— ——, to which time you ſhall adjourn your ſaid court; and during the court's ſitting, the eemen ſo required to appear, or the major part of ſuch of them as ſhall then appear, ſhall y, and are hereby authoriſed and required, to elect and chooſe four ſeveral and ſufficient freeyour county, each of them having a free-hold of fifty acres of land, or who ſhall be a reſiand have a viſible eſtate of forty pounds ſterling at the leaſt, within your county, whether rties ſo elected be preſent or abſent, the ſaid election to be made in ſuch manner and form as ws of England and this province do direct and provide; and you are to inſert the names of d perſons elected, in certain indentures to be then made between you the ſaid ſheriff, and ctors; that is to ſay, two indentures for each delegate, each indenture having thereto your nd ſeal, and the hands and ſeals of the ſeveral electors by them ſubſcribed, that the ſaid deand delegates for themſelves, and the county aforeſaid, may have ſeverally full and ſufficient to do and conſent to thoſe things, which then and there, by the favour of God, ſhall happen ordained, by the advice and conſent of the great council of this province, concerning ſuch ns and affairs as ſhall relate to the government, ſtate and defence thereof; but we will not wiſe that you, or any other ſheriff in our ſaid province be elected; and upon ſuch election, e ſaid ſheriff, ſo ſoon as conveniently may be, give notice to the parties elected, if abſent, rtify and tranſmit to the governor, or keeper of the great ſeal of this province for the time one of the two ſeveral and reſpective indentures, affixed to theſe preſents, cloſe ſealed up, rected to the governor, or keeper of the great ſeal of this province for the time being, and er part of the ſaid indentures you are to keep for your juſtification. Witneſs, &c."

Delegates may be fined, &c.

ND BE IT FURTHER ENACTED, *by the authority aforeſaid, by and with the advice and conſent afore*t the aforeſaid four delegates to be elected in the reſpective counties within this province, re hereby bound and obliged to attend at the time and place of the meeting of ſuch aſſembly, any further writ or ſummons to be to them ſent, under the penalty of ſuch fines as ſhall be wer houſe of aſſembly impoſed on them, unleſs upon ſufficient excuſe, to be admitted by the uſe of aſſembly, their abſence be diſpenſed with, any law, uſage or cuſtom to the contrary anding.

Proviſo.

ROVIDED ALSO, That no ordinary-keeper within this province, during the time of his ordinag, or any other perſon diſabled by any laws of England from ſitting in parliament, ſhall be choſen, or ſerve as a deputy or repreſentative in the ſaid general aſſembly, ſo to be hereafter onvened and appointed, as aforeſaid.

Penalty on ſheriffs not giving notice, &c.

D BE IT FURTHER ENACTED, *by the authority aforeſaid*, That any ſheriff within this province, l not give ſpeedy notice to the inhabitants of his county of the time and place where ſuch ſhall be made, as well by proclamation as aforeſaid, and by cauſing the ſame to be read in hes, chapels, and other public places within his ſaid county, as alſo by notes thereof ſet up places, thereby the better to inform the inhabitants of the county, requiring them, under lty of one hundred pounds of tobacco, to appear at ſuch time and place appointed for elec-

CHAP. XI.

tion, or ſhall make or cauſe to be made, any undue or illegal election or returns thereof, or to make returns of the delegates ſo to be elected, by indenture, before the day of ſitting aſſembly, purſuant to the direction of the ſaid writs, ſhall for every ſuch fault be fined, at cretion of the lower houſe of aſſembly next ſitting after ſuch election, not exceeding two h pounds ſterling, one half to the right honourable the lord proprietary, his heirs and ſucceſſ the ſupport of government, and the other half to the informer, or him or them that ſhall ſue ſame, to be recovered in any court of record within this province that may have juriſdiction ſame, by action of debt, bill, plaint or information, wherein no eſſoin, protection, or wager to be allowed.

And on voters for neglecting to appear, &c.

VI. AND BE IT FURTHER ENACTED, *by the authority aforeſaid, by and with the advice and aforeſaid,* That all freeholders, freemen, and other perſons qualified to give votes in the ele delegates, ſhall and are hereby obliged to be and appear at the time and place appointed for el to be hereafter had or made of any delegates, burgeſſes and citizens, to ſerve in any aſſem this province, under the penalty of one hundred pounds of tobacco for every perſon ſo qua aforeſaid neglecting to appear, one half thereof to the right honourable the lord proprieta heirs and ſucceſſors, for and towards the county charge, and the other half to the informer th complain to any one or more juſtices or magiſtrates, of ſuch abſence, which juſtice or juſti other magiſtrates, are hereby empowered to determine ſuch complaint, and award execution ſaid penalty, unleſs ſuch perſon or perſons ſhall, at the next county court after ſuch election ſufficient cauſe for his or their abſence, to be allowed and approved of by the juſtices of the county courts in this province.

Proviſo.

VII. PROVIDED NEVERTHELESS, That this act, or any thing therein contained, ſhall not to be conſtrued to exclude any county or counties, city or cities, borough or boroughs, here be erected and made within this province, from the liberty of ſuch elections of burgeſſes, & and repreſentatives, as is before expreſſed; but that ſuch writ as aforeſaid, ſhall, upon callin general aſſembly of this province for the future, be directed to the ſheriff of every ſuch coun or borough, when the ſame ſhall be erected and made into a county, city or borough, as af and to the mayor, recorder and aldermen, of every ſuch city or borough, commanding ſuch or mayor, recorder or aldermen, to cauſe four freemen of the ſaid county, and two freemen ſaid city or borough, qualified as in the aforeſaid writ is expreſſed, to ſerve as delegates and ſentatives of the ſame county, city or borough, in the general aſſembly next enſuing; wh four delegates for every ſuch county, and two for the city or borough, ſhall from thencefort puted and deemed to be members of the lower houſe of the general aſſembly of this provin thing in this act in anywiſe to the contrary notwithſtanding.

Allowance to counſellors, &c.

VIII. AND, for the aſcertaining, limitting and allowing unto the ſeveral and reſpective lors, deputies and delegates, that ſerve, or ſhall ſerve in the general aſſemblies of this provi of the ſeveral and reſpective commiſſioners of the provincial and county courts of this provin ſum and ſums of tobacco as is hereby thought neceſſary and ſufficient for their defrayi charges, in attending ſuch aſſemblies and courts, BE IT ENACTED, *by the authority aforeſaid, with the advice and conſent aforeſaid,* That all ſuch counſellors be allowed the ſum of one hund fifty pounds of tobacco per day, and the delegates and burgeſſes of aſſembly ſhall be allowed of one hundred and forty pounds of tobacco per day, during the time they ſhall attend ſuch blies, and no more, (beſides their itinerant charges,) to be paid and allowed them out of th levy of this province; and the ſeveral and reſpective commiſſioners of the provincial court, defraying their charges and expences, during the time they ſhall ſit in and attend ſuch cou ſum of one hundred and forty pounds of tobacco per day, and no more, beſides their itinerant c to be paid them likewiſe out of the public levy of this province as aforeſaid; and the ſeve miſſioners of the county courts ſhall be allowed, for the defraying their expences, during they ſhall ſit and attend ſuch court as aforeſaid, the ſum of eighty pounds of tobacco per d no more, which ſum of eighty pounds of tobacco as aforeſaid, the commiſſioners of the coun are hereby empowered to aſſeſs and levy on the taxable perſons of the ſeveral counties wh commiſſioners ſhall ſerve as aforeſaid, for the defraying the expences aforeſaid, and no more.

The manner of electing repreſentatives to the general aſſembly being preſcribed by the conſtitution, the proviſions are materially altered, if not deſtroyed. The act is inſerted at large, from an opinion which has been expreſſed that particularly the fifth and ſixth ſections, are ſtill in force.

CHAP. XII.

Paſſed 10th of Auguſt, 1716.

An ACT for the relief of Peter Sewell, a languiſhing priſoner in Calvert county. Lib. LL fol. 325. A Private Act.

CHAP. XIII.

T empowering the ſurviving executor of the laſt will and teſtament of Robert Smith, Eſquire, Talbot county, deceaſed, to ſell lands for the payment of his debts, and to make over other according to the deceaſed's will, which were ſold by the deceaſed, but never made over by Lib. LL. No. 4. fol. 329. A Private Act. Paſſed 10th of Auguſt, 1716.

CHAP. XIV.

T for continuance of the proceſs within this province on the change of the government from own to the right honourable the lord proprietary, and for the adjournment of ſeveral county from Auguſt, 1716. Lib. LL. No. 4. fol. 332.

CHAP. XV.

T for confirming three ſmall tracts of land, lying in Anne-Arundel county, to Suſannah n, her heirs and aſſigns for ever. Lib. LL. No. 4. fol. 333. A Private Act.

CHAP. XVI.

CT to reſtrain the ill practices uſed by ſheriffs in taking goods *fieri facias*, and ſelling them by *venditioni exponas*. Lib. LL. 4. fol. 335.

EREAS many of the good people of this province have of late been greatly damnified and buſed in their eſtates by ſheriffs, who upon receipt of any *fieri facias*, or attachment iſſued e courts of this province, take, by virtue of ſuch writs, great quantities of goods, more than ſfy the debt, damages and coſts in ſuch writs mentioned, and keep them a long time in their under pretence of want of buyers, whereupon it often happens upon the return of the ſaid that writs of *venditioni exponas* are iſſued, commanding them to put the ſaid goods to ſale, r the moſt part hath been done privately, and goods of great value have not been ſold for the rt of their value, to the great loſs of both the debtor and creditor, and to the ruin of ſome for the prevention whereof for the future, and to aſcertain a way and method whereby the f this province may ſecurely act in writs of the like nature, more to the benefit and advan- oth debtor and creditor, Preamble.

IT ENACTED, *by the right honourable the Lord Proprietary, by and with the advice and conſent of p's Governor, and the Upper and Lower Houſes of Aſſembly, and by the authority of the ſame*, That after the end of this preſent ſeſſion of aſſembly, if any writ of *fieri facias* ſhall be delivered eriff of this province, if the defendant, where the judgment is againſt him for his proper oſt, will upon oath ſhew all his perſonal eſtate, when thereto required, or where judgment ed againſt him as an executor or adminiſtrator, ſhew all the perſonal eſtate of the deceaſed's nds unadminiſtered, to the ſheriff or his deputy, ſo that ſuch ſheriff may levy ſuch part there- creditor or plaintiff, or his attorney in fact or in law ſhall direct, ſuch ſheriff ſhall within s at furtheſt, cauſe ſuch goods, ſo taken, to be appraiſed by four ſubſtantial freeholders of y, two of them to be named by the plaintiff, or his attorney at law or in fact, and two by dant, and who are neither of kin to plaintiff or defendant, creditor or debtor, who upon hs to be adminiſtered to them by the ſaid ſheriff, ſhall within three days, indifferently and e and appraiſe the ſaid goods and chattels, ſo taken in execution; and the ſheriff ſhall give notice to the creditor, or his attorney at law or in fact, of the value of the ſaid goods, deliver ſo much of the ſaid goods, as according to ſuch appraiſement, will amount unto the amage, and coſt in ſuch execution mentioned, to the plaintiff, or his attorney at law or in iſcharge of ſuch debt and coſt; and the ſaid plaintiff or creditor is hereby obliged to take t the ſame at ſuch appraiſement and value as aforeſaid, in ſatisfaction of ſo much of his nage or coſt, as ſuch goods, according to appraiſement, will amount unto; and if any cre- plaintiff, or his attorney in fact or law, ſhall refuſe or deny to take and accept the ſame, to ſuch appraiſement, ſuch ſheriff is hereby authoriſed and empowered to retain in his ſuch plaintiff's or creditor's proper riſk, ſo much of the ſaid goods as will ſatisfy the ſame amage, with coſts, for ſuch plaintiff's or creditor's uſe, who ſhall pay to ſuch ſheriff all coſts es he ſhall be at in keeping and ſecuring ſuch goods and chattels; and the ſaid plaintiff or hall have no other action againſt ſuch ſheriff than only for ſuch goods and chattels, ſo taken ed as aforeſaid, and ſuch ſheriff ſhall give a full and ſufficient diſcharge to ſuch debtor for f the debt and coſt, as ſuch goods, by ſuch appraiſement, ſhall amount unto, which ſhall ient bar againſt ſuch plaintiff or creditor, and perpetually bar and hinder him from taking ther execution againſt the body, goods or chattels, lands or tenements, of ſuch debtor, Goods taken by the ſheriff, how to be appraiſed, &c.

CHAP. XVI

whoſe goods and chattels as aforeſaid have been taken in execution as aforeſaid, for ſo much goods, by appraiſement, ſhall amount unto, any law, ſtatute, uſage or cuſtom to the contr withſtanding.

Proviſo.

III. PROVIDED ALWAYS, That in caſe the plaintiff or defendant are nonreſidents within ſpective counties wherein ſuch writs ſhall be executed as aforeſaid, or have not left an att law or in fact, who is a reſident within the county, ſo that the ſheriff cannot conveniently g or them notice within three days after the ſerving ſuch writs according to the exigence of and who ſhall not be preſent at ſuch time and place of appraiſement, or who, on notice give not think fit to be preſent at ſuch time and place, it ſhall and may be lawful for the ſheriff t two ſufficient freeholders, qualified as aforeſaid, on part and behalf of ſuch abſent party, to aforeſaid; and in caſe that both plaintiff and defendant are likewiſe nonreſidents in ſuch and cannot conveniently have notice as aforeſaid, nor ſhall be preſent thereat, that then ſuc ſhall be, and is hereby empowered on behalf of both parties, to chooſe four appraiſers qua aforeſaid, to make ſuch appraiſement as aforeſaid.

Proviſo.

IV. PROVIDED ALSO, That nothing in this act contained ſhall extend, or be conſtrued to to empower any ſheriff to levy, by virtue of any *fieri facias*, for any debt or damage recovered any executor or adminiſtrators, any negro or other ſlave, plate or jewels reſerved in favour of by the act for better adminiſtration of juſtice in probat of wills and granting adminiſtrations, that the ſheriffs ſhall be and are hereby obliged to follow the directions of that act, touchi negroes and ſlaves, plate and jewels, any thing in this act to the contrary notwithſtanding.

CHAP. XVII.

Paſſed 10th of Auguſt, 1716.

An ACT empowering a committee to lay, aſſeſs and apportion the public levy for this preſe ſeventeen hundred and ſixteen. Lib. LL. No. 4. fol. 338.

CHAP. XVIII.

An ACT to make firm and valid in law a ſale of land made by Joſeph Bridger, Eſquire, lat colony of Virginia, deceaſed, to Thomas Jones, of Somerſet county, deceaſed. Lib. LL fol. 339. A Private Act.

CHAP. XIX.

An ACT to confirm his lordſhip's acceptance of the eighteen-pence per hogſhead, former Lib. LL. No. 4. fol. 344.

CHAP. XX.

An ACT permitting the inhabitants of this province to ſue out when plaintiffs, and appear and give judgment when defen in the ſeveral courts thereof in their own proper perſons. Lib No. 4. fol. 345.

Preamble.

FORASMUCH as it has been repreſented to this general aſſembly as a great aggrieva the ſeveral inhabitants of this province are not permitted to ſue out writs when plainti appear and confeſs judgment when defendants, in the ſeveral courts thereof, but are in ſom obliged to employ attornies to do it for them, which creates an unneceſſary charge;

Any perſon may order out proceſs, &c.

II. BE IT THEREFORE ENACTED, *by the right honourable the Lord Proprietary, by and with and conſent of his lordſhip's Governor, and the Upper and Lower Houſes of Aſſembly, and the author ſame*, That it ſhall and may be lawful for any perſon or perſons whatſoever within this pro order out proceſs in their own proper names, without any titling from an attorney for the ſa the ſeveral and reſpective clerks of the ſeveral offices of the provincial and county courts of vince are hereby obliged, upon application to them made by any perſon or perſons as afor iſſue ſuch writs as ſhall be by them demanded, the party or parties ſuing out the ſame, if no within this province, ſecuring to the ſecretary, or the clerks of the ſeveral county courts other officers, their lawful fees; and that any perſon or perſons whatſoever that ſhall he ſued or impleaded in the provincial court, or any of the county courts within this province, may, in his or their own proper perſons, come into court, and after ſpecial bail by him or the if adjudged ſo to do, to appear and imparle till next court, or to confeſs judgment, to any actions, in any of the courts aforeſaid, commenced againſt him, her or them, any law, cuſtom to the contrary notwithſtanding.

CHAP. XXI.

T for ſettling the adminiſtration of the government of this province, in caſe of the death or ce of his lordſhip's governor for the time being, till his lordſhip's pleaſure ſhall be farther n therein. Lib. LL. No. 4. fol. 346. Paſſed 10th of Auguſt, 1716.

SESSION of ASSEMBLY, begun and held at the City of NNAPOLIS, in the county of Anne-Arundel, the 28th day of ay, in the ſecond year of the dominion of the right honourable HARLES, abſolute Lord and Proprietary of the Provinces of Mary- nd and Avalon, Lord Baron of Baltimore, &c. and ended the h day of June following, in the third year of his Lordſhip's minion, *annoque domini* 1717, were enacted the following laws, z. 1717.

JOHN HART, ESQUIRE, GOVERNOR.

CHAP. I.

CT for regulating of ordinaries. Lib. LL. No. 4. fol. 348. Paſſed 8th of June, 1717.

be in force till the 29th September, 1720; continued by 1720, ch. 14, 1721, ch. 11, 1723, ch. 3, 1726, ch. 10, and ex- n 1729.

CHAP. II.

plementary act, to the (a) Act for limitation of officer's fees. Lib. LL. No. 4. fol. 353.

1704, ch. 86, which act was only temporary, and expired in 1719, when a new law was made; but this act is without ion, and has no other connexion with that of 1704 than in the title.

CHAP. III.

CT for the relief of George Walls, a languiſhing priſoner in Charles county. Lib. LL. 4. fol. 355. A Private Act.

CHAP. IV.

CT for the adjournment of Baltimore and Talbot county courts. Lib. LL. No. 4. fol. 358.

CHAP. V.

CT empowering a committee to lay, aſſeſs and apportion the public levy for this preſent year, thouſand ſeven hundred and ſeventeen. Lib. LL. No. 4. fol. 359.

CHAP. VI.

CT for building a court-houſe on Long Point, on Bohemia manor, and on the eaſt ſide of a k called Broad creek, on Elk river, in Cæcil county. Lib. LL. No. 4. fol. 360.

CHAP. VII.

CT aſcertaining the gauge and tare of tobacco hogſheads, and to prevent cropping, cutting defacing tobacco taken on board ſhips or veſſels upon freight, and for laying impoſitions on cco per the hogſhead for the ſupport of government, and for the encouraging ſettlements in province, by aſcertaining the manner of paying his lordſhip's alienation fines and quit-rents the term therein propoſed, and for taking off the three-pence per hogſhead formerly raiſed for public charge. Lib. LL. No. 4. fol. 361.

be in force till the 29th September, 1720; continued 1720, ch. 9, 1721, ch. 3, 1723, ch. 2, 1726, ch. 4, 1729, ch. 5, r continued in part by 1730, ch. 7, and totally expired 29th September, 1732.

CHAP.

CHAP. VIII.

Passed 8th of June, 1717.

An ACT for punishment of such as shall counterfeit the lord proprietary's greater or lesser seal at arms within this province. LL. No. 4. fol. 371.

Penalty for counterfeiting the great seal, &c.

BE IT ENACTED, *by the right honourable the Lord Proprietary, by and with the advice and consent of his lordship's Governor, and the Upper and Lower Houses of Assembly, and by the authority of the* That from and after the end of this present session of assembly, any person or persons whatsoever shall presume to counterfeit the great seal of this province for the time being, or the sign manual seal at arms of the lord proprietary of this province, or any other the public seals of this province and shall, within this province, make use of any such counterfeit seal or sign manual of the said proprietary, or his heirs, or any other the public seals of this province, or shall steal away any said true seals, or without lawful warrant or authority shall falsely or corruptly, or with evil affix any of them to any deed, warrant or writing, and shall afterwards within this province or make any use of any such deed, warrant or writing, as if such respective seals had been thereunto by such lawful warrant and authority as aforesaid, shall forfeit to the right honourable lord proprietary, and his heirs, all his goods and chattels, lands and tenements, whereof such shall be possessed at the time of committing the same offence, the one half thereof to be applied to the support of a public school within the county where the offence shall be committed, the other to the informer, or him or them that shall sue for the same, and shall be whipped with thirty lashes on his bare back, stand in the pillory two whole hours, and be banished the province for

CHAP. IX.

A Supplementary act to the act for ascertaining the bounds of land within this province. Lib. No. 4. fol. 372.

Expired with the original act on the 1st June, 1719.

CHAP. X.

An ACT for laying an additional duty of twenty shillings current money per poll on all Irish servants being papists, to prevent the growth of popery by the importation of too great number of into this province, and also the additional duty of twenty shillings current money per poll on negroes, for raising a fund for the use of public schools within the several counties of this province. Lib. LL. No. 4. fol. 374.

CHAP. XI.

An ACT empowering John Oldham, of Talbot county, gentleman, to erect and build a wind in the town and port of Oxford, on the town point, in Talbot county. Lib. LL. No. 4. fol. A Private Act.

CHAP. XII.

An ACT for the better security of Mary Smithson, widow, and executrix of the last will and ment of colonel Thomas Smithson, in the payment of a debt due from the said colonel Smith estate to the free-schools of Maryland. Lib. LL. No. 4. fol. 376. A Private Act.

CHAP. XIII.

* 1715, ch. 44.

A Supplementary act to the * act relating to servants and slaves. LL. No 4. fol. 377.

Another supplementary act passed 1728, ch. 4.

Preamble.

WHEREAS it may be of very dangerous consequence to admit and allow as evidences in in any of the courts of record, or before any magistrate within this province, any negro mulatto slave, or free negro, or mulatto born of a white woman, during their servitude appointed law, or any Indian slave, or free Indian natives of this or the neighbouring provinces;

No negro, &c. to be admitted as evidence, &c.

II. BE IT THEREFORE ENACTED, *by the right honourable the Lord Proprietary, by and with the advice and consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and by the authority of the same*, That from and after the end of this present session of assembly, no negro or mulatto free negro, or mulatto born of a white woman, during his time of *servitude by law*, or any slave, or free Indian natives, of this or the neighbouring provinces, be admitted and received as and valid evidence in law, in any matter or thing whatsoever depending before any court of or before any magistrate within this province, wherein any christian white person is concerned.

III.

CHAP. XIII.

YET NEVERTHELESS, Where other ſufficient evidence is wanting againſt any negro or mulatto free negro, or mulatto born of a white woman, during their *ſervitude by law*, or againſt any native of this or the neighbouring provinces, in ſuch a caſe the teſtimony of any negro or ſlave, free negro, mulatto born of a white woman, or Indian native of this or the neighprovinces, may be heard and received as evidence, according to the diſcretion of the ſeveral of record, or magiſtrate, before whom ſuch a matter or thing againſt ſuch negro, mulatto c. ſhall depend, provided ſuch evidence or teſtimony do not extend to the depriving them, or hem, of life or member. But may againſt each other, &c.

See the notes under the act of 1715, ch. 44, and 1728, ch. 4.

AND, whereas it ſo happens that negro ſlaves, &c. commit many heinous and capital crimes, re endeavoured to be ſmothered and concealed, or elſe ſuch negroes, &c. are conveyed to her province, and ſold by their owners, who for the ſake of the intereſt they have in their ſervices, ſuffer them to eſcape juſtice; BE IT THEREFORE ENACTED, *by and with the authori- e and conſent aforeſaid*, That if any negro, or mulatto ſlave, or mulatto born of a white wo- ring the time of his ſervice by law, or Indian ſlave, ſhall hereafter be convicted of any rime, for which they ſhall ſuffer death, the court before whom they ſhall be convicted, ſhall tely upon ſuch conviction, value ſuch negro, or mulatto ſlave, or mulatto born of a white before the expiration of their ſervice appointed by law, in tobacco, and (a) three fourths of ue to be allowed in the public levy, to be paid to the owner or owners of ſuch negro, or mu- ve, or mulatto born of a white woman. Slaves, &c. to be valued, &c.

(a) 1737, ch. 2, ſections 5 and 6, the whole value of every ſlave ſo convicted, ſhall be paid to the owner by the public r, on certificate of the ſheriff. See alſo 1751, ch. 14, ſection 7.

AND, whereas in the law relating to ſervants and ſlaves there is no puniſhment or penalties n negroes or mulattoes intermarrying with any white perſon, BE IT THEREFORE ENACTED, *ith the authority, advice and conſent aforeſaid*, That if any free negro or mulatto intermarry with te woman, or if any white man ſhall intermarry with any negro or mulatto woman, ſuch negro to ſhall become a ſlave during life, excepting mulattoes born of white women, who for ſuch riage ſhall only become ſervants for ſeven years, to be diſpoſed of as the juſtices of the county here ſuch marriage ſo happens ſhall think fit, to be applied by them towards the ſupport of a chool within the ſaid county, and any white man or white woman who ſhall intermarry as with any negro or mulatto, ſuch white man or white woman ſhall become ſervants during n of ſeven years, and ſhall be diſpoſed of by the juſtices as aforeſaid, and be applied to the reſaid. No free negro, &c. to intermarry with white perſons, &c.

AND, further, whereas many negro, Indians and mulatto ſlaves, are often found guilty of pil- nd ſtealing, and other miſdemeanors, for which they either eſcape without puniſhment, or owners of ſuch Indian, negroes or mulattoes, are put to conſiderable charge by bringing trial, and receiving their puniſhment for ſuch crime before the county courts; BE IT D, *by and with the authority, advice and conſent aforeſaid*, That whenſoever any negro, Indian or ſlave, ſhall hereafter be charged with any pilfering or ſtealing, or any other crime or miſ- rs whereof the county court might have cognizance, it ſhall and may be lawful for any one of es of the provincial or county courts, upon complaint made before him, to cauſe ſuch negro, r mulatto ſlave, ſo offending, to be brought immediately before him, or any other juſtice of r the county where ſuch offence is committed, who upon due proof made againſt any ſuch mulatto ſlave, of any of the crimes as aforeſaid, ſuch juſtice is hereby authoriſed and em- to award and cauſe to be inflicted, according to the nature of the crime, ſuch puniſhment ping as he ſhall think fit, not exceeding forty laſhes. Slaves may be puniſhed, &c.

CHAP. XIV.

T for quieting differences that may ariſe between the inhabitants of this province and the nations of Indians, of what places ſoever. Lib. LL. No. 4. fol. 379. Paſſed 8th of June, 1717.

CHAP. XV.

CT for the publication of marriages, and to prevent unlawful riages. Lib. LL. No. 4. fol. 380.

ENACTED, *by the right honourable the Lord Proprietary, by and with the advice and conſent of his ſhip's Governor, and the Upper and Lower Houſes of Aſſembly, and the authority of the ſame*, That ns who deſire marriage, ſhall apply themſelves to a miniſter for the contracting thereof, and ſe due publication to be made, according to the rubrick of the church of England, of their intent The bands of marriage to be publiſhed, &c.

CHAP. XV.

intent to marry, at ſome church or chapel of eaſe belonging to the pariſh wherein the woman tended to be married, ſhall be reſident; and in caſe there be no miniſter, curate or reader pariſh, an advertiſement or public notification of ſuch intended marriage ſhall be ſet up at the houſe door of the county where ſuch marriage ſhall be intended, there to remain for the ſ three weeks at the leaſt, of which advertiſement put up as aforeſaid, the clerk of the count where ſuch advertiſement ſhall be put up ſhall make a certificate under his hand, and the ſeal county; and that it ſhall and may be lawful after ſuch publication, and certificate thereof had, miniſter, duly qualified, to join together in matrimony any ſuch perſons ſo publiſhed, accor the liturgy of the church of England, ſaving to the miniſter of the reſpective pariſhes, whe publication ſhall be made, their juſt dues for ſuch marriages.

Penalty on marrying without, &c.

II. And, If any perſon ſhall preſume to contract marriage without ſuch publication and cer thereof had as aforeſaid, or without particular licence from the governor for the time being vately contract marriage, every man ſo contracted or married ſhall be liable to a fine of five t pounds of tobacco, and every ſuch miniſter joining in marriage any perſons without publica licence, or any ways infringing this act, ſhall be liable to a fine of five thouſand pounds of t one half of the ſaid fines to the lord proprietary, his heirs and ſucceſſors, for the ſupport of g ment of this province, the other half to the informer, to be recovered in any court of re action of debt, bill, plaint or information, wherein no eſſoin, protection, or wager of law t lowed.

Or in a neighbouring colony, &c.

III. And, for the more effectually avoiding ſecret and clandeſtine marriages, Be it enact *the authority, advice and conſent aforeſaid*, That any perſon or perſons reſident in this provinc ſhall get their marriage ſolemniſed in any the neighbouring colonies, during ſuch their reſid this province, unleſs where the woman ſo married ſhall be reſident of that place where ſuch m ſhall be ſolemniſed, the man ſo married ſhall be liable to the fine of five thouſand pounds of t to be recovered as aforeſaid, to the uſe aforeſaid.

Miniſter's fee.

IV. And, for aſcertaining to the miniſter a fee for marriages, in other caſes than the act f bliſhment of religious worſhip provides for, Be it enacted, That in caſe any perſons mar licence, and that ſhall be married in the pariſh church or chapel of eaſe, or come to ſuch mi houſe to be married, there ſhall be paid as a fee, by the perſons to be married, for ſuch marria ſum of ten ſhillings, and no more; and in caſe of publication of bands, the perſons ſo to be m ſhall come to the miniſter's dwelling-houſe to be married, there ſhall be paid to the miniſter for ſuch marriage, one hundred pounds of tobacco, or ſix ſhillings and eight-pence current ready pay, and no more; And it is hereby declared, That whenever any fee is allowed f rying perſons whoſe bands are publiſhed, ſuch fee ſhall be taken as a full fee for the publicatio bands, as well as for the ſolemnization of ſuch marriage.

Proviſo.

V. Provided, That this act, or any thing therein contained, ſhall not extend, or be conſt extend, to any perſons of perſuaſions in religion different from that of the church of Engla that all ſuch perſons, and the manner of their proceedings in marriage, may entirely remain un by this act, and in the ſame circumſtance as if this act had never been made, any thing therein to the contrary notwithſtanding.

See February 1777, ch. 12.

SESSION of ASSEMBLY begun and held at the CITY of ANNAPOLIS, in the county of Anne-Arundel, the 22d day of ril, and ended the 10th day of May, in the 3d year of the inion of the right honourable CHARLES, abſolute Lord and prietary of the provinces of Maryland and Avalon, Lord Baron Baltimore, &c. *annoque domini* 1718, were enacted the laws owing, viz.

JOHN HART, ESQUIRE, GOVERNOR.

CHAP. I.

ementary act to the * act directing the manner of electing and ſummoning delegates and re- Paſſed 10th of May, 1718.
atives to ſerve in ſucceeding aſſemblies, &c. Lib. LL. No. 4. fol. 383.

* 1716, ch. 11.

CHAP. II.

reviving and continuing an act of aſſembly of this province, entitled, (a) An act for re- the inhabitants of this province from ſome aggrievances in the proſecution of ſuits at law. L. No. 4. fol. 385.

(a) 1714, ch. 4, hereby continued three years, &c.

CHAP. III.

for qualifying John Steel, of the city of Annapolis, Eſquire, to hold offices within this ce. Lib. LL. No. 4. fol. 386. A Private Act.

CHAP. IV.

to repeal a certain act of aſſembly, entitled, An act to prevent the growth of popery with- province. Lib. LL. No. 4. fol. 386.

CHAP. V.

pplementary act to the * act for the better adminiſtration of ice in teſtamentary affairs, &c. Lib. LL. No. 4. fol. 387.

* 1715, ch. 39.

EREAS by the act of aſſembly of this province, entitled, An act for the adminiſtration of Preamble.
ſtice in probat of wills, &c. it is amongſt other things enacted, that when a full account is by any adminiſtrator of any inteſtate's eſtate, the judge therein mentioned ſhall make, or be made, diſtribution as therein directed, the making up of which account is oftentimes de- delayed, and the eſtate thereby kept from the right owners; for remedy whereof,

IT ENACTED, *by the right honourable the Lord Proprietary, by and with the advice and conſent of* Legatee, &c.
's Governor, and the Upper and Lower Houſes of Aſſembly, and the authority of the ſame, That it may ſue, &c.
may be lawful for any legatee, or others, that have right to any legacy, or to the reſidue of tor's or inteſtates's eſtate, after the expiration of twelve (b) months from the date of the ſtamentary, or letters of adminiſtration of ſuch deceaſed's eſtate, to demand and ſue for r legacies or reſiduary part of ſuch deceaſed's eſtate as ſhall then appear to be their due by unts as ſhall then be made up by that time, that then ſuch legacies or reſidue ſhall be paid red out of the full eſtate, in the ſame manner as if there were no diſburſements for debts or o be made thereout, ſuch reſiduary legatees, or others, that right have as aforeſaid, giving o refund to ſuch executor or adminiſtrator, according to the directions of the ſtatute of the cond and twenty-third of Charles the ſecond, chapter 10; and that in caſe any ſuit ſhall t on any teſtamentary or adminiſtration bond, by any orphan or other legatee, for default ance with the act for the better adminiſtration of juſtice in probat of wills, &c. or this pre- it ſhall and may be lawful for ſuch ſuitors, and their agents, ſolicitors or attornies, and al courts of law before whom ſuch ſuits ſhall happen to be brought, are hereby required to o judgment and execution on ſuch bonds, without taking notice of any injunction, or other proceeding, to ſtop, hinder or delay the ſame, unleſs he ſhall obtain a final decree, on full or running out the proceſs for the awarding of ſuch a writ.

(b) See 1798, 101, ch. 8, ſection 1.

CHAP. V. Proviſo. III. PROVIDED NEVERTHELESS, That in caſe any party to ſuch ſuit ſhall conceive himſelf relievable in equity on ſuch caſe, it ſhall and may be lawful for ſuch perſon to proceed in ch

CHAP. VI.

Paſſed 10th of May, 1718. An ACT empowering a committee to lay, aſſeſs and apportion the public levy for this preſe one thouſand ſeven hundred and eighteen. Lib. LL. No. 4. fol. 388.

CHAP. VII.

An ACT for the relief of ſeveral poor priſoners therein mentioned. Lib. LL. No. 4. A Private Act.

CHAP. VIII.

An ACT declaring the rights of three lots, originally laid out in Annapolis, for the uſe mentioned. Lib. LL. No. 4. fol. 390.

CHAP. IX.

An ACT to confirm to Mary Hall, of Talbot county, widow, a tract of land called Gl dition, in Talbot county. Lib. LL. No. 4. fol. 392. A Private Act.

CHAP. X.

An ACT to limit the continuance of actions in ſeveral courts within this province, and aſce the manner of taking the evidence of ſeafaring men, and for granting appeals from the court to the governor and council. Lib. LL. No. 4. fol. 394. Repealed by 1721, ch. 1

CHAP. XI.

An ACT for ſupplying defects in the conveyance of land from John Carey, John Burridge an Cole, to Peregrine Brown, merchant, deceaſed. Lib. LL. No. 4. fol. 395. A Private

CHAP. XII.

An ACT to enable Benjamin Howard to ſell certain lands in Anne-Arundel county, and fo tailing other lands belonging to the ſaid Benjamin, in Baltimore county. Lib. LL. N 397. A Private Act.

CHAP. XIII.

An ACT for the removing the court-houſe from Charles-town, in Prince-George's county, the building a court-houſe for the ſaid county at the town of Marlborough, in the ſaid and for making ſale of the old court-houſe and priſon. Lib. LL. No. 4. fol. 399.

CHAP. XIV.

An ACT for confirming the laſt will and teſtament of Elizabeth Devegh, late of Baltimor deceaſed, and for veſting in John Devegh, his heirs and aſſigns for ever, an eſtate in fee all and ſingular the lands, tenements and hereditaments, whereof the ſaid Elizabeth De ſeized as aforeſaid. Lib. LL. No. 4. fol. 401. A Private Act.

CHAP. XV.

An ACT for inveſting the right heirs of Edward Day, late of Somerſet county, with an fee-ſimple of certain lands in the ſaid county. Lib. LL. No. 4. fol. 403. A Private Act

CHAP. XVI.

An ACT for the better ſupporting the magiſtrates in the adminiſtration of juſtice within vince, and for the diſabling Thomas Macnemara, Eſquire, to practiſe the law therein. No. 4. fol. 404.

CHAP. XVII.

An ACT for the relief of Robert High, bricklayer, a languiſhing priſoner in Calvert co of Philip Eilbeck, in Kent county. Lib. LL. No. 4. fol. 407. A Private Act.

CHAP. XVIII.

An ACT for aſcertaining the bounds of land within this province. Lib. LL. No. 4. Diſſent.

CHAP. XIX.

An ACT for ſettling all diſputes concerning the boundaries of veral lots within the city of Annapolis, and confirming the the reſpective takers up, improvers and purchaſers thereof, a laying out ten acres of land out of the town paſture into twe more, to be added to the ſaid city. Lib. LL. No. 4. fol.

Preamble. WHEREAS the original plot of ſurvey of the town of Annapolis, now erected into a been deſtroyed by the fire of the ſtadt-houſe in the year one thouſand ſeven hundred

CHAP. XIX.

e or no footsteps left to find out the bounds of the several lots, whereby many disputes and are like to arise among the inhabitants and proprietors of the said lots; and forasmuch as ay the more speedily, and at far less charges, be administered upon any such disputes by more indifferent persons appointed by law to act as commissioners, to hear and finally de- them, and ascertain the boundaries and proprietorships of the lots within the said city, as ay be, according to the true intent and meaning of the original surveys of such proprietor- d of the lots of the town and port of Annapolis, made by Mr. Richard Beard, deceased; efore prayed that it might be enacted,

Commissioners appointed, &c.

ND BE IT ENACTED, *by the right honourable the Lord Proprietary, by and with the advice and con- s lordship's Governor, and the Upper and Lower Houses of Assembly, and the authority of the same,* e honourable colonel William Holland, colonel Thomas Addison, captain Daniel Mariartee, Alexander Warfield, or any three of them, be and are hereby appointed, authorised and red, commissioners for hearing, and finally determining, all or any the disputes that have and se among any the takers up, improvers or purchasers, of all or any the lot or lots of land within the said city, concerning either the property or bounds of any the said lots, and that end the aforesaid commissioners, or the major part of them, together with James Stoddart, who is hereby appointed to survey the aforesaid city, and the several lots, streets and pub- nds therein, do, sometime before the first day of August, in this present year of our Lord enteen hundred and eighteen, meet within the same city, and calling before them, or the art of them, the respective proprietors and claimers of the lots aforesaid, hear and examine etensions thereto, and cause the bounds thereof to be ascertained and staked out, according rue intent and meaning of the original plot or survey of the town of Annapolis, heretofore the aforesaid Mr. Richard Beard, so that no man that has built by mistake be ousted of his n, and finally to ascertain the properties of the several claims therein, and cause their several nations to be fairly transcribed, and transmitted in the secretary's office of this province, as led and indisputable bounds and properties of all and singular the said lots, and parties claim- same.

Owners to appear, &c.

AND, to the end that the respective owners of any parcels or quantity of lands lying within ey or plot of the said city may receive just and equitable satisfaction from the several claimers ssors of such lots as may happen to fall within the respective bounds they claim property in, NACTED, *by the authority, advice and consent aforesaid,* That such respective owners or claimers quantity or parcel of land lying within the said city, do appear before the said commissioners, efore the first day of August next, or at any other day or time as the said commissioners, or or part of them, shall appoint or direct at the said city, and upon oath by the aforesaid com- rs, or any of them, to be administered to them, declare whether or no they know, or have of any satisfaction or payment for all or any part of the said lands heretofore made, to them or any others, by, from, or under whom they claim the same, and that at the same time the imers and owners of such quantities or parcels of land, make good, and shew to the said com- rs their respective rights and claims to the aforesaid lands, and receive such reasonable satis- therefore from the respective proprietors of lots within such their lands, as the aforesaid ioners, or the major part of them, shall direct, and that in default of such claim, and making eir several rights to the aforesaid quantities or parcels of land as aforesaid, they, the said s and proprietors, and their heirs and assigns, shall be for ever hereafter precluded and barred y claim, right or interest thereto, and the aforesaid quantities or parcels of land shall be to be held by the owner of such lots, under the like rents and services as other lots and ithin the city aforesaid now are.

AND, whereas for the better encouragement of poor tradesmen to come and inhabit within city, and carry on their respective trades therein, the corporation of the said city have sup- this general assembly, that twenty more small lots should be laid out and added to the said

Ten acres to be laid out, &c.

BE IT THEREFORE ENACTED, *by and with the authority, advice and consent aforesaid,* That the said ioners, or the major part of them, by this act nominated and appointed, shall cause ten acres, public pasture, lying on the north side of the said city, and to the eastward of the ferry road ads by the hill whereon the powder-house now stands, to be surveyed and staked out into lots, to be taken up by any person or persons that shall build a dwelling-house upon the same ng to the directions of the aforesaid act for erecting Anne-Arundel and Oxford towns into nd towns; which taking up and building upon as aforesaid, upon paying to the proprietors of ten acres what sum the said commissioners, or the major part of them, shall assess and award aid for each lot, shall, by virtue of this act, make and vest a sure and indefeasible estate in fee,

CHAP. XIX.

in and to the reſpective takers up and builders thereon, and to their heirs and aſſigns, in all the aforeſaid twenty lots ſo to be laid out as aforeſaid, any law, ſtatute or uſage to the contra withſtanding.

Proviſo.

V. PROVIDED NEVERTHELESS, and it is the true intent and meaning of this act, That no already poſſeſſing a lot, or any part of a lot, within the ſaid city, ſhall have liberty to take up the ſaid twenty lots, for and during the ſpace of two whole years from the laying out the ſaid lots, nor ſhall any perſon take up any the ſaid twenty lots in the name of any other for his o

How vacancies are to be filled, &c.

VI. AND, for the continuing the ſucceſſion of commiſſioners and ſurveyor until the buſineſs r to them be completed, BE IT ENACTED, *as aforeſaid*, That in caſe of the death or abſence of ſaid commiſſioners or ſurveyor, that the ſurvivors be, as they are hereby, empowered to others, by majority of voices, to ſerve in the ſtead or place of ſuch as are abſent or deceaſe alſo that the ſaid commiſſioners be allowed each fifteen ſhillings per day for their attendanc that all charges ariſing on the execution of this law, ſhall be aſcertained by the ſaid commiſ and ſatisfied and raiſed by an equal aſſeſſment by the lot, upon the ſeveral proprietors thereof levied in ſuch manner as the ſaid commiſſioners ſhall direct; and the ſaid commiſſioners, or th part of them, are hereby empowered and authoriſed to inquire if any thing be due, and thing, what is due from the public for any part of the lands laid out in the city aforeſaid, for of the public, and to make their report thereof to the next aſſembly, to the end that the prop of the ſaid lands may have juſt ſatisfaction made them for the ſame.

Proceedings to be recorded.

VII. AND BE IT LIKEWISE FURTHER ENACTED, That the clerk of the mayor's court for th being be clerk to the ſaid commiſſioners to enter their proceedings in the premiſes aforeſaid, ſaid proceedings ſhall be entered in the records of the mayor's court, whereto all perſons con may have recourſe.

Oaths to be taken.

VIII. AND BE IT LIKEWISE ENACTED, That the commiſſioners aforeſaid ſhall take the oa pointed to be taken by the act for aſcertaining the bounds of land within this province, in t manner as is directed by that act.

1719. At a SESSION of ASSEMBLY begun and held at the CITY of A NAPOLIS, in the county of Anne-Arundel, the 14th da May, in the 4th year of the dominion of the right honou CHARLES, abſolute Lord and Proprietary of the provinces of ryland and Avalon, Lord Baron of Baltimore, &c. and ended 8th day of June following, in the 5th year of his lordſhip's minion, *annoque domini* 1719, were enacted the laws follow viz.

JOHN HART, ESQUIRE, GOVERNOR.

CHAP. I.

Paſſed 8th of June, 1719.

An ACT reviving an act of aſſembly of this province, entitled, (a) An act for the ordering a gulating the militia of this province, for the better defence and ſecurity thereof. Lib. L. 4. fol. 422.

(a) 1715, ch. 43, hereby continued three years, &c.

CH

CHAP. II.

plement to the * act relating to ſervants and ſlaves. Lib. LL. 4. fol. 423.

Paſſed 8th of June, 1719.

* 1715, ch. 44.

EREAS by the act of aſſembly relating to ſervants and ſlaves, there is not any proviſion ade what ſhall be done with ſuch runaway ſervants or ſlaves that now are, or hereafter ſhall taken up and committed to the cuſtody of any ſheriff within this province, where the maſwner of ſuch ſervant or ſlave, having due notice of ſuch ſervant's or ſlave's being in the f ſuch ſheriff, refuſes or delays to redeem ſuch ſervant or ſlave, by paying their impriſon-, and ſuch other charge as has or may accrue for taking up ſuch ſervant or ſlave;

Preamble.

IT THEREFORE ENACTED, *by the right honourable the Lord Proprietary, by and with the advice t of his lordſhip's Governor, and the Upper and Lower Houſes of Aſſembly, and the authority of the* at from and after the end of this preſent ſeſſion of aſſembly, every ſheriff that now hath, or ſhall have, committed into his cuſtody, any runaway ſervants or ſlaves, after one month's iven to the maſter or owner thereof, of their being in his cuſtody, if living in this province, nonths notice, if living in any of the neighbouring provinces, if ſuch maſter or owner of vants or ſlaves do not appear within the time limitted as aforeſaid, and pay, or ſecure to be ſuch impriſonment fees due to ſuch ſheriff, from the time of the commitment of ſuch ſerſlaves, and alſo ſuch other charges as have accrued or become due to any perſon for taking runaway ſervants or ſlaves, ſuch ſheriff is hereby authoriſed and required (ſuch time limitted aid, being expired,) immediately to give public notice to all perſons, by ſetting up notes at h and court-houſe doors of the county where ſuch ſervant or ſlave is in cuſtody, of the time for ſale of ſuch ſervants or ſlaves by him to be appointed, not leſs than ten days after ſuch itted as aforeſaid being expired, and at ſuch time and place by him appointed as aforeſaid, d to ſell and diſpoſe of ſuch ſervant or ſlave to the higheſt bidder, and out of the money or which ſuch ſervant or ſlave is ſold for, to pay himſelf all ſuch impriſonment fees as are his for the time he has kept ſuch ſervant or ſlave in his cuſtody, and alſo to pay ſuch other fees or reward, as has become due to any perſon for taking up ſuch runaway ſervant or d after ſuch payments made, if any reſidue ſhall remain of the money or tobacco ſuch ſerlave was ſold for, ſuch ſheriff ſhall only be accountable to the maſter or owner of ſuch ſervant or ſuch reſidue or remainder as aforeſaid, and not otherwiſe.

Sheriffs to give notice, &c.

ND, In caſe any ſheriff, or the buyer of ſuch ſervant or ſlave, or others concerned in the n of this act, ſhall be ſued by any perſon or perſons for any matter or thing done, or to be purſuance hereof, it ſhall and may be lawful for every ſuch perſon or perſons ſo ſued to plead al iſſue, and give this act and the ſpecial matter in evidence, and in caſe of nonſuit, diſnce, or verdict againſt the plaintiff, the court ſhall award double coſts of ſuit.

General iſſue pleadable.

CHAP. III.

pplementary act to the * Act for cauſing grand and petit ors and witneſſes to come to the provincial and county courts, aſcertaining their allowances. Lib. LL. No. 4. fol. 424.

Paſſed 6th of June, 1719.

* 1715, ch. 37.

revent jurors from taking, and ſuitors from giving, larger ſums for a verdict than is allowed law, whereby it is obvious that ſome perſons (who have more frequent trials by jurors than have endeavoured to raiſe a general expectation in jurors of larger donations from them n their adverſaries, thereby endeavouring to incline them to their favour; for prevention for the future,

Preamble.

IT ENACTED, *by the right honourable the Lord Proprietary, by and with the advice and conſent of 's Governor, and the Upper and Lower Houſes of Aſſembly, and the authority of the ſame*, That the e hundred and twenty pounds of tobacco, or twelve ſhillings in money, be allowed and paid jury, for hearing or giving their verdict in any cauſe they are ſworn to give their verdict in, in the provincial or county courts, and no more; and that in caſe any ſuitor give more than ereby directed, and be thereof convict, he, ſhe or they, ſhall for ſuch offence (if to a juror ovincial court,) forfeit the ſum of ſix thouſand pounds of tobacco, or under, at the diſcretion urt; if in the county court, the ſum of two thouſand pounds of tobacco, or under, at the of the court, to the right honourable the lord proprietary, the one half thereof to the uſe , to be applied in the ſame manner as the additional duty of twenty ſhillings per head on negroes

Allowance to juries, &c.

CHAP. III.

negroes and Iriſh papiſts now is, the other half to the informer, or him or them that ſhall ſue ſame, if on indictments or actions criminal, if otherwiſe, to the party grieved only, to be re in the court where the forfeiture ſhall happen, by action of debt, bill, plaint or information, no eſſoin, protection or wager of law to be allowed.

And to petit jurors.

III. And be it likewise enacted, That every petit juror ſummoned to any county co be allowed for every day ſuch juror ſhall attend (by force of ſuch ſummons,) the ſum of fifteen of tobacco, over and above the aforeſaid one hundred and twenty pounds of tobacco, or ſhillings to each jury, for each cauſe, and no more, the aforeſaid fifteen pounds of tobacco per each juror in each county court to be paid by the county, in the ſame manner as the jurors provincial court are allowed by the public.

See the note under 1715, ch. 37.

CHAP. IV.

Paſſed 6th of June, 1719.

An ACT for the better ſupporting the magiſtrates in the admini tion of juſtice within this province. Lib. LL. No. 4. fol. 4

Preamble.

WHEREAS it is obvious to this preſent ſeſſion of aſſembly, that there is an abſolute nec a law for the better preſerving the honour, dignity and authority of his lordſhip, in ſons of his magiſtrates in the adminiſtration of juſtice, from the inſults, affronts and indecent nor before them, of the practitioners of the law, and other officers and perſons, that have been ſo frequent in all the courts of this province, as well as out of court;

Courts may puniſh practitioners, &c.

II. Be it therefore enacted, *by the right honourable the Lord Proprietor, by and with th and conſent of his lordſhip's Governor, and the Upper and Lower Houſes of Aſſembly, and by the au the ſame,* That the ſeveral magiſtrates, judges of the ſeveral courts within this province, be hereby authoriſed and ſtrictly required, to obſerve the demeanor of all practitioners of the law them, as well as all miniſterial officers, or other perſons who ſhall uſe any indecent liberti leſſening the grandeur and authority of their reſpective courts, and to diſcountenance and pu ſame, according to the nature of the offence, either by ſuſpending ſuch practitioner of the la their practice, perpetually, or for a time, or to puniſh ſuch practitioners, or miniſterial off other perſons, by fine, at the diſcretion of ſuch court before whom ſuch offence ſhall be com not exceeding four thouſand pounds of tobacco in the ſuperior courts, nor two thouſand po tobacco in the ſeveral county courts, within this province, on each offender, for any one offe

Magiſtrates to obſerve the conduct of perſons. &c.

III. And likewise, All and every the ſeveral magiſtrates, in the execution of their offic court, are hereby required, in like manner, to obſerve the carriage and demeanor of all whatſoever that ſhall come before them, and if any perſon or perſons ſhall behave themſe decently towards any of them (or contemn their authority when lawfully required to aſſiſt th the execution of their office, or otherwiſe, it ſhall and may be lawful for any of the ſevera within this province, upon information to them made by any ſuch magiſtrate or magiſtrates, any perſon or perſons who have ſo miſbehaved themſelves, or contemned their authority, any formality in law, to call ſuch offender or offenders before them, and puniſh them by fine, im ment, or by ſetting in the ſtocks, at their diſcretion, the fine not to exceed one thouſand po tobacco each offender, the impriſonment not to exceed two days, nor the ſetting in the ſtock two hours, for any one offence, all which fines to be levied by way of execution, and by ſuc applied towards the maintaining a public ſchool in the county where ſuch offence is committe

Proviſo.

IV. Provided always, That nothing in this act ſhall be conſtrued to leſſen the authoriti by law in the ſeveral courts, or in any of the magiſtrates, before the making of this act.

CHAP. V.

An ACT for the veſting and ſettling an eſtate of inheritance, in fee-ſimple, of and in a cer cel or lot of ground in the city of Annapolis, containing one hundred and twenty feet in on Robert Johnſon, of Anne-Arundel county, ſhip-carpenter. Lib. LL. No. 4. fol. Private Act.

CHAP. VI.

An ACT to confirm a tract of land therein mentioned to the rector or miniſter of St. John in Baltimore county, and his ſucceſſors, for ever. Lib. LL. No. 4. fol. 428.

CHAP. VII.

An ACT empowering a committee to lay, aſſeſs and apportion the public levy for this preſe one thouſand ſeven hundred and nineteen. Lib. LL. No. 4. fol. 429.

CHAP. VIII.

T to ſupply certain defects in the conveying of lands from Henry Roberts to John Ford. Paſſed 6th of June, 1719.
L. No. 4. fol. 430. A Private Act.

CHAP. IX.

T to confirm to William Gray, of Calvert county, a ſmall parcel of land, lying in the ſaid , ſold by Robert Brooke to the ſaid Gray, now in the poſſeſſion of the ſaid Gray. Lib. LL. fol. 431. A Private Act.

CHAP. X.

T for the relief of Samuel Liſle, of Calvert county, of Chriſtopher Bateman, Robert Gray, hn Budd, of Kent county, languiſhing priſoners. Lib. LL. No. 4. fol. 432. A Private Act.

CHAP. XI.

T reviving an act of aſſembly of this province, entitled, (a) An act for encouragement of , and relief of poor debtors, and for ſupplying ſome defects therein. Lib. LL. No. 4. 7.

(a) 1715, ch. 17, hereby continued three years, which, together with this act, expired in 1722.

CHAP. XII.

pplementary act to the * act for appointment of conſtables, l what relates to their office, and aſcertaining what perſons are ables. Lib. LL. No. 4. fol. 438.

* 1715, ch. 15.

T ENACTED, *by the right honourable the Lord Proprietor, by and with the advice and conſent of his ſhip's Governor, and the Upper and Lower Houſes of Aſſembly, and the authority of the ſame*, That ny conſtable ſhall not purſue the directions of the act of aſſembly (now in force,) relating to , and of this act, in the taking and returning of taxables, ſuch conſtable ſhall be fined to the nourable the lord proprietor in the ſum of five hundred pounds of tobacco for each offence, thereof to the informer, or him or them that ſhall ſue for the ſame, and the other half there- e uſe of free-ſchools in ſuch county where the forfeiture ſhall happen, to be recovered in nty court by action of debt, bill, plaint or information, wherein no eſſoin, protection or f law to be allowed.

Penalty on conſtables for not purſuing this act, &c.

ND BE IT FURTHER ENACTED, That in caſe any maſter, miſtreſs, dame, or other chief per- he family, ſhall conceal any taxable, or not give a true account thereof to ſuch conſtable, to the directions of the act aforeſaid, that then ſuch perſon ſhall, for every taxable ſo con- or not given in as aforeſaid, forfeit the ſum of five hundred pounds of tobacco in manner , to the uſes aforeſaid, to be recovered as aforeſaid.

On maſters, &c. not giving true account, &c.

ND IT IS HEREBY DECLARED, That no perſon ſhall be taken as a taxable that ſhall not be d into this province on or before the firſt day of June for that year.

Perſons not taxable.

ND BE IT FURTHER ENACTED, *by the authority aforeſaid*, That all warrants iſſued by any f peace for the recovery of ſmall debts, ſhall be directed to ſome conſtable of a hundred, ap- by the court, unleſs (at the requeſt of ſuch ſuitor,) it be directed to ſome friend who will *gratis*, ſuch ſuitor nevertheleſs being hereby made liable to pay the conſtable of the hundred uch warrant is ſerved his juſt fee.

Conſtable to have his fee.

ND BE IT FURTHER ENACTED, That the ſheriff of each reſpective county is hereby obliged n a true and fair copy of the liſt of taxables in his county, under his own hand, yearly, into etary's office, by the twentieth day of September, on pain of one thouſand pounds of tobacco y neglect, to be forfeited as aforeſaid, to the uſes aforeſaid, to be recovered as aforeſaid.

Liſts to be returned.

ND, the better to enable the ſheriffs of the ſeveral counties to return copies of the liſt of in each county as aforeſaid, BE IT ENACTED, *by the authority, advice and conſent aforeſaid*, e ſeveral conſtables of the ſeveral and reſpective hundreds, in the ſeveral counties, are here- red to ſend a copy of their liſts of taxables to the ſheriff of their county, at or before the firſt Auguſt after the taking of ſuch liſt.

To be ſent to the ſheriff.

AND, whereas it is found by experience, that there are many ſingle perſons, (who are free ithin this province, who have not any ſettled place of reſidence, but make their abode at ſuch

CHAP. XII.

such places where they are employed, and such employers refuse to give them in as taxable not being constant residents in their families, by which means they frequently escape paying at all, BE IT ENACTED, *by the authority, advice and consent aforesaid*, That it shall and may be for any constable of any hundred in any of the counties within this province, upon finding a single person or free man in their respective hundreds, who cannot procure some housekeeper such hundred to give him in as a taxable, nor make appear that he is a resident, or taken as a in some other hundred or county, to carry such person or free men before the next justice of the for such county, who is hereby empowered and required to commit such person or free man sheriff's custody, until he shall procure some housekeeper to return him as a taxable, and be able for his levy.

Single persons to give security, &c.

See the note under 1715, ch. 15.

CHAP. XIII.

Passed 6th of June, 1719.

An ACT for relief of John Beale, of Charles county, gentleman, and Richard Beale, a Lib. LL. No. 4. fol. 440. Dissent.

CHAP. XIV.

An ACT for the application of such intestate's estates as lea legal representatives, and for enforcing proceedings against tem administrators. Lib. LL. No. 4. fol. 443.

Preamble.

WHEREAS it frequently happens that persons who are possessed of considerable personal die intestate, leaving no known relations or representatives, legally entitled to the thereof, in which cases 'tis observed some creditor or pretended creditor of such deceased mo monly obtains the administration of his goods and chattels, and thereby becomes legally p thereof, by virtue whereof he not only satisfies himself, but all other creditors their just clai likewise retains in his hands the total residue of such estate, and converts the same to his o on pretence of securing himself against such latent debts as may thereafter appear, whereby t ministrator has the sole benefit of such goods and chattels as he had no other pretence of r save for the satisfying himself a debt, and perhaps but a small one, out of the deceased's estat the more just and better application of which residues for the future,

How the residue of intestates estates shall be disposed of.

II. BE IT ENACTED, *by the right honourable the Lord Proprietor, by and with the advice and c his lordship's Governor, and the Upper and Lower Houses of Assembly, and the authority of the same* every such administrator as afore-mentioned shall be obliged to pay and satisfy the balance o estates to one of the (a) public treasurers of this province for the time being, in the same ma such administrator should have been obliged to pay the same to any legal residuary legatee by case any such should have appeared, to be applied to the use of schools, in the same manner as ditional duty of twenty shillings per poll on Irish servants and negroes is directed, save that by the act for the better administration of justice in testamentary affairs, &c. sundry partic goods and chattels are directed to be paid in specie, according to appraisement, to the re legatees, in this case such administrator shall be obliged to pay the said balance of such est cording to the true value thereof, in current money, for the payment whereof he shall be twenty *per cent.* that is to say, ten *per cent.* over and above the ten *per cent.* usually allowed.

(a) By 1729, ch. 24, section 17, the balance of intestates estates directed by this paragraph to be paid to the public t was thereafter to be paid to the visitors of the public school of the county wherein the deceased resided, and the admin pay such balance in current money, or in specie, at the direction of the visitors, and if paid in money to be allowed ten if in specie, five *per cent.* and no more. By 1798, 101, ch. 11, section 15, the surplus shall belong to the state, save different schools the rights which they possess by existing laws.

Proviso.

III. PROVIDED, That in case such administrator be of kin to the deceased, within the fifth of either consanguinity or affinity, that then such administrator, and all others that are as ne lated to the deceased as such administrator, shall have as good a right to such residue, as they were brothers or sisters children to the deceased, and such balance shall be distributed ingly.

Proviso.

IV. PROVIDED NEVERTHELESS, That in case there be a widow, no collaterals shall be a other than those directed by an act of assembly of this province, entitled, An act for the be ministration of justice in testamentary affairs, (b) but such widow shall have the whole re such estate, any thing herein before contained to the contrary thereof in anywise notwithsta

(b) See 1798, 101, ch. 11, section 1.

CHAP. XIV.

OVIDED NEVERTHELESS, AND BE IT ENACTED, *by the authority, advice and consent aforesaid*, Proviso.
case such residue shall happen to be paid to such treasurer as aforesaid, in default of legal
atives as aforesaid, and that any legal representatives of no remoter degree amongst col-
han brothers or sisters children, shall at any time appear, and prove him, her or themselves,
h legal representative or representatives, that then the treasurer that received the residue
state, if then in his hands, or the public stock of schools, if applied to their use, shall be
d are hereby obliged to refund to such legal representative the sum that they received on
of such residue, and that the same treasurer or public stock as aforesaid, (in case the ad-
or shall be obliged to pay any further debts or duties that were due from the deceased,)
wise refund to such administrator the value of what such administrator shall be so obliged

9, ch. 24, section 20, in case such residue should be paid to the visitors, and legal representatives of no remoter degrees,
d afterwards appear, &c. then the visitors were to restore the same to such legal representatives if in their hands, but
y applied to the use of the school, then the public stock of such school should be liable to make satisfaction, and the
o give an order for the same on the public treasurers, who were to pay the same out of the public stock of such school,
h in their hands, if not, then so much as shall be in their hands, and the residue when they should receive so much for
f such school.

ROVIDED ALSO, That in case such next of kin shall receive such balance from such treasurer Proviso.
stock of schools, he shall, and is hereby obliged, on (or before) such receipt, to give such
ation bond, with security according to law, to refund to such administrator such sums as
ny time thereafter be made appear to be due from the deceased's estate, and by him regular-
rged, for which he has not been formerly allowed.

AND, whereas many widows, or others, having the deceased's effects in their hands, and
the administration thereof, designedly suffer other persons to administer, whose mouths are
pped with part of the estate's being delivered them, and bring only such part of the appraise-
the great dishonour of the deceased, and deceit of the living; for prevention whereof, as
f frequent tedious suits for the detecting such concealments, BE IT ENACTED, *by the authori-* Commissary to
and consent aforesaid, That it shall and may be lawful for the commissary-general for the time examine per-
n information or complaint of any such concealment, to cause the person so complained of to sons, &c.
ned upon oath, before such commissary-general, or deputy-commissary in such county where
on lives, for the discovery of such concealed effects or estates, and upon such discovery, and
or delaying to deliver the effects so discovered, and to make satisfaction for the same, to
ttachment against such concealer, to oblige him, her or them to comply therewith.

CHAP. XV.

CT for the encouragement of an iron manufacture within this vince. Lib. LL. No. 4. fol. 445.

Passed 6th of June, 1719.

EREAS it is represented to this present general assembly, that there are very great con- Preamble.
veniencies of carrying on iron-works within this province, which have not hitherto been em-
or want of proper encouragements to some first undertakers, although the consequences
might not only be considerably advantageous to the persons immediately concerned there-
t also to the public trade of Great-Britain, and this province; and for that it may so happen
lands or places most proper for the fixing forge-mills, and other conveniencies for the carry-
uch considerable works, may happen to be within the bounds of any lands already reserved
ordship's use, or such lands as are in the hands or possession of persons under age, or unable
the charge of carrying on such considerable works, or else such as are wilfully obstinate, to
erance of such persons as would purchase such lands or places as should be fit for the carry-
great works, and setting them up, to the increase of our trade and navigation, the peopling
rovince, and to the advantage of his lordship, by the encouraging the taking up such remote
en-lands as are now entirely useless and uncultivated;

E IT ENACTED, *by the right honourable the Lord Proprietary, by and with the advice and consent of* Writs of *ad*
rdship's Governor, and the Upper and Lower Houses of this present General Assembly, and the au- *quod damnum*
the same, That if any person or persons, from and after the publication hereof, shall desire may be taken
p such forging-mill, and other conveniencies for the carrying on such iron-works, upon any out, &c.
before cultivated, next adjoining to any run of water within this province, not being the
inheritance of such undertakers, nor leased to them, to the intent thereon to set such
mill, and other conveniencies for the carrying on such iron-works, they may purchase a writ
hancery, directed to the sheriff of the county where such land lieth, requiring him, by the

CHAP. XV.

oath of twelve men of his county, to inquire what damage it would be to his lordſhip, or others have ſuch builders or undertakers inveſted with an abſolute eſtate of inheritance in one hundred of ſuch land, proper for the ſetting up ſuch forging-mill, and other conveniencies for the carr on ſuch iron-works as aforeſaid; the form of which writ followeth, viz. "CHARLES, abſ "lord and proprietary of the provinces of Maryland and Avalon, lord baron of Baltimore, &c. "the ſheriff of —— county, Greeting. We command you, that by the oath of twelve hone "lawful men of the county, by whom the truth of the matter may be better known, you dilig "inquire if it be to the damage of us, or others, if we grant unto N. N. of N. county, one "dred acres of land, lying at ——, in the county aforeſaid, as may be moſt convenient for "building and ſetting up a forge-mill, and other conveniencies, as ſhall be neceſſary for the carr "on an iron-work; and if it be to the damage and prejudice of us, or others, then to what da "and prejudice of us, and to what damage and prejudice of others, and of whom, and in what "ner, and how, and of what value the ſame land is now, before any other improvement of the "one hundred acres of land, and who are the preſent poſſeſſors of the ſaid one hundred acr "land, and who have the fee-ſimple thereof, and what lands and tenements remain to the pe "poſſeſſor, over and above the ſaid one hundred acres of land, and if the ſaid land remaining t "preſent poſſeſſors, over and above the ſaid one hundred acres, will ſuffice to uphold their m "viz. the ſixth part of their manor, allotted them by the conditions of plantations, for the dem "as before the alienation, ſo as the county, by the alienation aforeſaid, in default of the pr "poſſeſſion, more than was wont not to be charged and grieved; and the inquiſition thereupon o "and diſtinctly made to us in our high court of chancery, under the ſeal and the ſeals of the "whom it was made, without delay ſend, &c." Upon return of which writ, in caſe the perſo perſons who by the ſaid inqueſt ſhall be found to be the true owners and poſſeſſors of the land f build a forge-mill, and other conveniencies neceſſary for carrying on an iron-work, ſhall refu build ſuch forge-mill, and other conveniencies for ſuch iron-work thereon, within ſix months that date to be computed and reckoned, and give ſecurity the ſame building to proſecute and within four years after the beginning and laying the foundation of ſuch forge-mill, it ſhall and be lawful for his ſaid lordſhip, his heirs and ſucceſſors, or for the governor here for the time be from time to time, to grant any ſuch one hundred acres of land fit to build a forge-mill, and co niencies for an iron-work as aforeſaid, together with free egreſs and regreſs to the ſaid mill, thr any man's land next adjoining, by the virtue of the writ aforeſaid returned, to be paid to the own the ſaid land ſo found and returned as aforeſaid; which ſaid grant to be made as aforeſaid, ſha good and available in law to the grantee or grantees as aforeſaid, againſt all perſons whatſoever, law, cuſtom or uſage to the contrary notwithſtanding.

Proviſo.

III. PROVIDED ALWAYS, That before any perſon or perſons whatſoever ſhall have ſuch gra build a forge-mill, and other conveniencies for an iron-work as aforeſaid, he or they ſhall enter bond to his ſaid lordſhip, with two ſufficient ſureties, in the ſum of one hundred pounds ſterling, condition to begin to build the ſaid forge-mill, and conveniencies for the iron-work as afore within ſix months then next to come, and the ſame building to proſecute and finiſh within four y after ſuch beginning.

IV. AND, foraſmuch as for the carrying on ſo conſiderable a work, it will be abſolutely nece for the undertakers to import, or otherwiſe retain in their ſervice, great numbers of experie workmen, and that they muſt unavoidably be at vaſt expences before they can bring ſuch work to tolerable perfection, ſo as to reap any benefit therefrom; for their better encouragement, Be

Workmen to be levy free.

ENACTED, That all ſuch workmen or labourers as ſhall be by ſuch undertakers conſtantly emp in the carrying on ſuch uſeful and beneficial works, ſhall be exempt from the paying of levies for firſt four years after their being employed in ſuch work as aforeſaid, provided that the number of workmen as ſhall be levy free exceed not eighty for any one iron-work.

Proviſo.

V. PROVIDED NEVERTHELESS, That in caſe ſuch undertakers ſhall not proſecute ſuch iron-w to the running of pigs fit for tranſportation, within ſeven years next after their being ſeized of lands, by virtue of ſuch writ, in manner aforeſaid, that then it ſhall and may be lawful for the pe or perſons that were diſſeized of ſuch land by virtue of ſuch writ, to re-enter upon and be reinſt in the ſame, to all intents and purpoſes, as if ſuch writ had never been obtained, without b obliged to return any part of the purchaſe money for the ſame.

CHA

CHAP. XVI.

ACT explaining and declaring particularly what laws were repealed by an act, entitled, * An act declaring all laws heretofore made, which have been re-enacted this ſeſſion of aſſembly, to be repealed, and for reviving the † act for relief of Anne-Arundel county. Lib. LL. No. 4. fol. 448.

Paſſed 6th of May, 1719.

* 1715, ch. 49.

† 1705, ch. 1.

WHEREAS at a ſeſſion of aſſembly, begun and held at the city of Annapolis the 26th day of April, in the firſt year of the reign of our ſovereign lord George, by the grace of GOD, of Britain, France and Ireland, king, defender of the faith, &c. *annoque domini* 1715, there was one law, entitled, An act declaring all laws heretofore made, which have been re-enacted ion of aſſembly, to be repealed, the repealing clauſe in which act being generally expreſſed, s thereby ariſen ſundry ſcruples and doubts in the minds of many of the inhabitants of this e what particular laws thoſe were which were repealed, and intended only to be repealed by e-mentioned act of aſſembly; for the removal whereof,

Preamble.

BE IT ENACTED, *by the right honourable the Lord Proprietor, by and with the advice and conſent of hip's Governor, and the Upper and Lower Houſes of Aſſembly, and the authority of the ſame*, That eral particular laws hereafter expreſſed, which were made before the above-mentioned repeal- are hereby declared to be the laws, and none other, which were repealed, and intended only pealed by the afore-mentioned repealing law, viz. One act, entitled, An act for prohibiting ortation of bread, beer, flour, wheat, or other Indian or Engliſh grain, or meal, horſes, colts or fillies from Pennſylvania, and the territories thereunto belonging; one other act, en- An act for limitation of certain actions for avoiding ſuits at law; one other act, entitled, An he publication of all laws within this province; one other act, entitled, An act for the re- of all the acts of aſſembly in this province in the ſecretary's office, as alſo tranſmitting the of the houſe of delegates into the ſaid office; one other act, entitled, An act for the puniſh- adultery and fornication; one other act, entitled, An act for the ſtay of execution after the y of May yearly; one other act, entitled, An act directing the manner of ſuing out attach- nd limitting the extent of them; one other act, entitled, An act for the better adminiſtration e in the high court of chancery, provincial and county courts, ſpeedy recovery of debts, di- how ſmall debts ſhall be recovered, and for the more eaſy obtaining of executions againſt per- enting from the counties where the judgments were obtained againſt them; one other act , An act for the puniſhment of blaſphemy, profane curſing and ſwearing; one other act, en- An act for rectifying the ill practices of attornies of this province; and aſcertaining the attor- eral and clerk of indictment's fees; one other act, entitled, An act for ſecuring merchants ers) tobacco, after they have received it; one other act, entitled, An act for the directions heriff's office in this province, and for the more eaſy payment of the public and county levies; r act, entitled, An act for the appointment of conſtables, and what relates to their office; r act, entitled, An act relating to ſervants and ſlaves; one other act, entitled, An act aſcer- he height of fences, to prevent the evil occaſioned by the multitude of horſes, and reſtrain- e-rangers within this province; one other act, entitled, An act relating to the ſtandard of weights and meaſures; one other act, entitled, An act for the taking ſpecial bail in the ſeve- ties of this province, upon actions and ſuits depending in his majeſty's provincial court; r act, entitled, An act for the ſpeedy trial of criminals, and aſcertaining their puniſhments ounty courts when proſecuted there; one other act, entitled, An act for quieting of poſſeſ- rolling conveyances, and ſecuring the eſtates of purchaſers; one other act, entitled, An act g what ſhall be good evidence to prove foreign and other debts, and to prevent vexatious eceſſary ſuits at law, and pleading diſcount in bar; one other act, entitled, An act prohibit- naſters of ſhips or veſſels, or any other perſons, from tranſporting or conveying away any per- erſons out of this province without paſſes; one other act, entitled, An act for the better ad- tion of juſtice in probat of wills, and granting adminiſtrations, recovery of legacies, and ſe- lial portions; one other act, entitled, An act impoſing three-pence per gallon on rum and randy and ſpirits, and twenty ſhillings per poll for negroes, for raiſing a ſupply to defray the harge of this province, and twenty ſhillings per poll on Iriſh ſervants, to prevent the import- great a number of Iriſh papiſts into this province, made at a ſeſſion of aſſembly, begun and he town and port of Annapolis the fifth day of September, *annoque domini* 1704; one other itled, An act for repealing a clauſe in an act of aſſembly, entitled, An act for eſtabliſhment ous worſhip in this province, &c. and for appointing the oath of abjuration to be taken in

Laws declared to be repealed.

CHAP. XVI.

this province, made at a ſeſſion of aſſembly, begun and held at the town and port of Annap 26th day of October, 1703; one other act, entitled, An act aſcertaining what damage ſhall be ed on proteſted bills of exchange; one other act, entitled, An act aſcertaining fees to the at and practitioners of the law, in the courts of this province, and for levying the ſame by way cution; one other act, entitled, An act for appointing court days in each reſpective county this province, made at a ſeſſion of aſſembly, begun and held at the city of Annapolis the ninth day of November, 1708; one other act, entitled, An act to declare how the forty po tobacco per poll, in ſuch pariſhes where there is no incumbent, ſhall be diſpoſed of, made at of aſſembly, begun and held at the town and port of Annapolis the 26th day of April, 17 other act, entitled, An act to reform the ill practice of high ſheriffs within this province, ſeſſion of aſſembly, begun and held at the city of Annapolis the 26th day of October, 17 other act, entitled, An act for the ordering and regulating the militia of this province, for the defence and ſecurity thereof; one other act, entitled, An act for cauſing grand and petit jur witneſſes to come to the provincial and county courts, made at a ſeſſion of aſſembly, begun a at the town and port of Annapolis the fifth day of December, 1704; one other act, entitl act for quieting differences that may ariſe between his majeſty's ſubjects of this province ſeveral nations of Indians, of what place ſoever, made at a ſeſſion of aſſembly, begun and held town and port of Annapolis the twenty-ſixth day of April, 1700; one other act, entitled, for puniſhment of perſons ſelling or tranſporting of any friend Indian or Indians out of this pr made at a ſeſſion of aſſembly, begun and held at the town and port of Annapolis the fifteenth May, 1705; one other act, entitled, An act for ſecuring perſons rights to town lands, ma ſeſſion of aſſembly, begun and held at the city of Annapolis the twenty-fourth day of October,

Act declared always to have been in force, &c.

III. And be it further enacted, That an act of aſſembly, made at a ſeſſion of aſſembly and held at the town and port of Annapolis the 15th day of May, 1705, entitled, An act relief of Anne-Arundel county, and all perſons concerned in the records thereof, lately burn and is hereby declared to have always hitherto been, in as full force and effect as if the ſa never been repealed; provided nevertheleſs, that no perſon concerned therewith be allowed to their claims by virtue thereof after the twenty-fourth day of June, which ſhall be in the year Lord God 1720; ſaving to infants, married women, perſons of unſound mind, impriſoned, yond the ſeas, the liberty of making ſuch their claims at any time within twelve months aft impediment removed.

CHAP. XVII.

Paſſed 6th of June, 1719.

An ACT for diſabling Thomas Macnemara, Eſquire, to practiſe the law within this pr Lib. LL. No. 4. fol. 452.

CHAP. XVIII.

An ACT for limitation of officers fees. Lib. LL. No. 4. fol. 461.

To be in force three years, &c. Continued 1723, ch. 23, and 1724, ch. 21, till the 25th December, 1725, when it ex

1720. **At a SESSION of ASSEMBLY begun and held at the City of A NAPOLIS, in the county of Anne-Arundel, on the 5th, ended the 22d day of April, in the fifth year of the dominio the right honourable Charles, abſolute Lord and Proprieta the provinces of Maryland and Avalon, Lord Baron of Baltim &c. *annoque domini* 1720, were enacted the following laws.**

JOHN HART, Eſquire, Governor.

CHAP. I.

Paſſed 22d of April, 1720.

An ACT empowering certain commiſſioners and truſtees to diſpoſe of the remaining part of th ſonal eſtates which were of Thomas Smithſon, late of Dorcheſter county, gentleman, and T Smithſon, late of Talbot county, Eſquire, deceaſed, and to ſettle and aſſeſs the loſſes, d and coſts, by Thomas Hicks, gentleman, and John Davis, ſon and heir at law of Jeremiah ſuſt

ed; as alſo to value the lands whereof the ſaid Thomas Smithſon, of Dorcheſter county, he ſaid Thomas Smithſon, of Talbot county, died ſeized, and to diſpoſe of ſo much of the erſonal eſtates, and the lands, as will ſatisfy the ſaid Thomas Hicks, and the ſaid John Da- or their damages, loſſes and coſts, ſuſtained by means of a warranty of lands from the ſaid as Smithſon, of Dorcheſter county, and the ſaid Thomas Smithſon, of Talbot county, to the Thomas Hicks and Jeremiah Davis made. Lib. LL. No. 4. fol. 474. A Private Act.

CHAP. II.

T for the naturalization of Herman Kinkee, a Dutchman, and his children, Peter Manadoe, nchman, and his children, of Cæcil county, John Laviele, a Frenchman, of Calvert county, Parandier and John Parandier, of Charles county. Lib. LL. No. 4. fol. 477. A Private Act. Paſſed 22d of April, 1720.

CHAP. III.

T for the relief of Ephraim Gover, and to inveſt him with an eſtate in fee-ſimple in the lands in mentioned. Lib. LL. No. 4. fol. 477. A Private Act.

CHAP. IV.

T for veſting in the rector and veſtry of William and Mary pariſh, in St. Mary's county, and ſucceſſors, an eſtate in fee-ſimple in the old ſtadt-houſe in St. Mary's city, in St. Mary's coun- nd the lot of land whereon the ſame ſtands, for the uſe of the ſaid pariſh for ever. Lib. LL. 4. fol. 478.

CHAP. V.

T to enable Benjamin Duvall, of Prince-George's county, to ſell two hundred acres of land, of a tract of land called Howerton's Range, and for entailing other lands in lieu thereof. LL. No. 4. fol. 479. A Private Act.

CHAP. VI.

CT for the relief of John Deavor, of Baltimore county. Lib. LL. No. 4. fol. 481. A Pri- Act.

CHAP. VII.

CT for the relief of Benjamin Howard, in making good the ſurvey of Howard's Purchaſe, LL. No. 4. fol. 482. A Private Act.

CHAP. VIII.

CT to inveſt an eſtate in fee to John Clements, of Queen-Anne's county, in a certain lot in the n of Cambridge, in Dorcheſter county. Lib. LL. No. 4. fol. 483. A Private Act.

CHAP. IX.

CT reviving and continuing the act, entitled, * An act for aſcertaining the gauge and tare of cco hogſheads, &c. from the 29th day of September next until the 29th day of September ch ſhall be in the year of our Lord 1721. Lib. LL. No. 4. fol. 484. * 1717, ch. 7.

CHAP. X.

CT for giving further time to the ſeveral tradeſmen, who originally took up the new lots hin the addition to the city of Annapolis, to improve the ſame. Lib. LL. No. 4. fol. 485.

CHAP. XI.

CT to ſupply certain defects in the conveying lands from Henry Gibbs, ſon and heir of Edward bs, ſometime of Somerſet county, in the province of Maryland, deceaſed, to Benjamin Law- ce, John Belt, and Lucy his wife, heirs of Benjamin Lawrence, ſometime of Calvert county, he ſame province, deceaſed. Lib. LL. No. 4. fol. 486. A Private Act.

CHAP. XII.

CT empowering a committee to lay, aſſeſs and apportion the public levy for this preſent year, thouſand ſeven hundred and twenty. Lib. LL. No. 4. fol. 488.

CHAP. XIII.

pplementary act to the act, entitled, * An act for ſettling a revenue on her majeſty's preſent vernor. Lib. LL. No. 4. fol. 489. Expired. * 1714, ch. 2.

CHAP. XIV.

CT for reviving and continuing an act of aſſembly of this province, entitled, * An act for re- ating of ordinaries from the 29th day of September next until the 29th day of September ich ſhall be in the year of our Lord 1721. Lib. LL. No. 4. fol. 490. * 1717, ch. 2.

At

At a SESSION of ASSEMBLY, begun and held at the Cr
ANNAPOLIS, in the county of Anne-Arundel, on the
and ended the 27th day of October, in the sixth year of th
minion of the right honourable CHARLES, absolute Lord and
prietary of the Provinces of Maryland and Avalon, Lord Bar
Baltimore, &c. *annoque domini* 1720, were enacted the laws
lowing, viz.

CHARLES CALVERT, ESQUIRE, GOVERNOR.

CHAP. XV.

Passed 27th of October, 1720. An ACT for raising a duty of three-pence per hogshead on all tobacco exported out of this pro for the uses therein mentioned. Lib. LL. No. 4. fol. 492.

Continued 1721, ch. 1, 1723, ch. 1, and 1726, ch. 3, and expired 1727.

CHAP. XVI.

An ACT to confirm a deed of bargain and sale from Francis Swanson to Thomas Plummer. LL. No. 4. fol. 493. A Private Act.

CHAP. XVII.

* 1718, ch. 18. A Supplementary act to the * act for ascertaining the bounds of land within this province. Lib. No. 4. fol. 494. Dissent.

CHAP. XVIII.

An ACT for the naturalization of John Peter Zenger, of Kent county, printer, and his chi Lib. LL. No. 4. fol. 498. A Private Act.

CHAP. XIX.

An ACT for confirmation of certain deeds of sale to William Matthew, Esquire, of lands in B more county. Lib. LL. No. 4. fol. 498. A Private Act.

CHAP. XX.

A Supplementary act to the (a) act to limit the continuance of actions in several courts within province, and ascertaining the manner of taking the evidence of seafaring men, and for gra appeals from the chancery court to the governor and council. Lib. LL. No. 4. fol. 500. pealed 1721, ch. 14.

(a) 1718, ch. 10, which, together with this act, was repealed by the new law.

CHAP. XXI.

An ACT for granting unto Edward Smith, of the city of Annapolis, sawyer, one hundred twenty foot of ground in the said city to keep a sawyer's yard on, for the encouragement of trade. Lib. LL. No. 4. fol. 500. A Private Act.

CHAP. XXII.

An ACT for the confirmation of the land therein mentioned to Richard Bennet, Esquire. Lib. No. 4. fol. 501. A Private Act. Repealed 1753, ch. 24.

CHAP. XXIII.

* 1707, ch. 3. A Supplementary act to the * act for relief of Thomas Manning, of Calvert county. Lib. LL. 4. fol. 503. A Private Act.

CHAP. XXIV.

An ACT to restrain the rigour of prosecutions on administration testamentary bonds. Lib. LL. No. 4. fol. 504.

Preamble. WHEREAS it is represented by some of the justices of the provincial court, that a most pressive and pernicious practice is introduced of putting testamentary and administration b

the provincial court, for the non-payment of ſmall debts recovered in the county courts, ver ſuing out writs of *fieri facias*, or other executions to affect the eſtate of the deceaſed in tors or adminiſtrators hands, or without any inſufficiency of ſuch executors or adminiſtrators, the act, entitled, * An act to reſtrain the ill practices uſed by ſheriffs in taking goods ~~by~~ *fieri* d ſelling them by *venditioni exponas*, is entirely evaded, ſo far as it relates to executors and tors, and the perſon and ſureties of ſuch executors and adminiſtrators are affected by ſuch ſaid bonds, inſtead of the effects of the deceaſed; for prevention whereof for the future, CHAP. XXIV. * 1716, ch. 16.

IT ENACTED, *by the right honourable the Lord Proprietary, by and with the advice and conſent of p's Governor, and the Upper and Lower Houſes of Aſſembly, and the authority of the ſame*, That t be lawful for any creditor or creditors to proſecute any ſuch adminiſtration or teſtamenta- for any debt or damages due from or recovered againſt any teſtator or inteſtate, or their efore a *non eſt inventus* on a *capias ad reſpondendum* be returned againſt the executor or admini- r a *fieri facias* returned *nulla bona* by the ſheriff of the county where ſuch executor or tor live, or where the effects of ſuch deceaſed lies, or ſuch other apparent inſolvency, or cy of the perſon or effects of ſuch executor or adminiſtrator, as ſhall, in the judgment of the l court that hears the cauſe, render ſuch creditors remedileſs by any other reaſonable means, of ſuing ſuch bonds, on pain that ſuch perſon or perſons that ſhall cauſe ſuch bonds to be trary to the true intent and meaning of ſuch act, ſhall be condemned in full coſts of ſuit, to ed by ſuch provincial court to the defendant or defendants that ſhall be ſo ſued, againſt the perſons that ſhall cauſe the ſame to be ſued, and ſhall award execution thereof as uſual in es. No adminiſtration bond to be ſued, &c.

ND BE IT FURTHER ENACTED, *as aforeſaid*, That it ſhall and may be lawful for the defendant lants in ſuch ſuits to give this act and the ſpecial matter in evidence, without ſpecially the ſame, any law, ſtatute, uſage or cuſtom to the contrary notwithſtanding. General iſſue pleadable.

CHAP. XXV.

CT declaring the puniſhment for burning of court-houſes. Paſſed 27th of October, 1720.

. LL. No. 4. fol. 505.

EREAS it is repreſented to this preſent general aſſembly, that there remained ſome doubt the law, whether the burners of court-houſes ſhould have the ſame judgment as againſt nvicts, or to ſuffer death, on which doubt, the laſt provincial court, in favour of life, gave againſt the perſon convict for burning Kent county court-houſe, only that he ſhould be burnt nd, &c. to clear up which doubt for the future, Preamble.

IT ENACTED, *by the right honourable the Lord Proprietor, by and with the advice and conſent of p's Governor, and the Upper and Lower Houſes of Aſſembly, and the authority of the ſame*, That n or perſons whatſoever that ſhall hereafter be convict of wilfully burning any court-houſe is province, wherein any records actually or uſually are kept, although the ſame be not a houſe, or ſuch other houſe, for the burning whereof the offenders might heretofore have had t of clergy, ſhall have judgment to ſuffer death, in the ſame manner as if ſuch offender had vict of malicioufly and wilfully burning a manſion-houſe, any law, ſtatute or uſage to the notwithſtanding. Perſons convict to ſuffer death.

CHAP. XXVI.

mentary act to the act, entitled, * An act for laying an impoſition on negroes, and on ſeve- s of liquors imported, and alſo on Iriſh ſervants, to prevent the importing too great a of Iriſh papiſts into this province. Lib. LL. No. 4. fol. 506. * 1715, ch. 36.

CHAP. XXVII.

for the relief of Mareen Duval, a languiſhing priſoner in Prince-George's county. Lib. LL. fol. 507. A Private Act.

CHAP. XXVIII.

empowering Meſſieurs William Clayton, of Talbot county, and James Earle and William , of Queen-Anne's county, to ſell off the lands of Robert Smith, Eſquire, late of Talbot aforeſaid, deceaſed, to pay to Richard Cole, of Queen-Anne's county, and Mary his wife, ghter and heir of Renatus Smith, deceaſed, the ſurviving executor of the ſaid Robert deceaſed, what the ſaid Renatus Smith paid on account of the ſaid Robert Smith, more ects came to his hands, and for the payment of his other debts. Lib. LL. No. 4. fol. 511. te Act.

At

At a SESSION of ASSEMBLY begun and held at the Cr
ANNAPOLIS, in the county of Anne-Arundel, the 18th d
July, in the 7th year of the dominion of the right honou
CHARLES, abſolute Lord and Proprietary of the provinces of M
land and Avalon, Lord Baron of Baltimore, &c. *annoque d*
1721, were enacted the laws following.

CHARLES CALVERT, ESQUIRE, GOVERNOR.

CHAP. I.

Paſſed 5th of Auguſt, 1721. An ACT for reviving of an act, entitled, (a) An act for raiſing a duty of three-pence per h on all tobacco exported out of this province, for the uſes therein mentioned. Lib. LL. fol. 516.

(a) 1720, ch. 15, hereby continued till 29th September, 1723.

CHAP. II.

An ACT for reviving and continuing an act of aſſembly, entitled, (b) An act for relieving th bitants of this province from ſome aggrievances in the proſecution of ſuits at law. L No. 4. fol. 517.

(b) 1714, ch. 4, hereby continued till 29th September, 1723.

CHAP. III.

An ACT reviving and continuing the (c) act for aſcertaining the gauge and tare of hogſheads, &c. Lib. LL. No. 4. fol. 517.

(c) 1717, ch. 7, hereby continued till 29th September, 1723.

CHAP. IV.

* 1715, ch. 33. A Supplementary act to the * act for ſtay of executions after the tenth day of May, yearly. L No. 4. fol. 518.

Repealed after 10th May, 1792, by 1791, ch. 67.

CHAP. V.

An ACT for the naturalization of Joſeph Lazear, and Guſtavus Heſſelius, of Prince-George ty, and their children, and alſo Chriſtian Geiſt, of the city of Annapolis, gentleman. L No. 4. fol. 520. A Private Act.

CHAP. VI.

An ACT to confirm the lands deviſed by Robert Anderſon, of Prince-George's county, d unto his three ſons, Robert Anderſon, Cuthbert Anderſon, and James Anderſon, in fe to them and their heirs and aſſigns for ever. Lib. LL. No. 4. fol. 521. A Private Act.

CHAP. VII.

An ACT empowering the juſtices of Prince-George's county to levy twelve pounds of tob poll on all taxables within the ſaid county, for the finiſhing their court-houſe and building priſon for the uſe of the ſaid county. Lib. LL. No. 4. fol. 522.

CHAP. VIII.

An ACT for preventing the making of traſhy tobacco, and for the bettering the ſtaple of t vince. Lib. LL. No. 4. fol. 523.

To be in force three years, &c. Expired.

CHAP. IX.

An ACT relieving and freeing the inhabitants of this province, and others, removing their from any other countries or colonies to ſettle and inhabit within this province, from p duties and impoſitions on negroes for any of their domeſtic ſlaves. Lib. LL. No. 4. fol.

CHAP. X.

An ACT for the relief of John Connaway, of Anne-Arundel county, a languiſhing priſone LL. No. 4. fol. 528. A Private Act.

C

CHAP. XI.

T reviving and continuing an act, entitled, (a) An act for regulating of ordinaries. Lib. No. 4. fol. 531. Paſſed 5th of Auguſt, 1721.

(a) 1717, ch. 1, hereby continued till the 29th September, 1723.

CHAP. XII.

T to empower his honour the governor for the time being to appoint any perſon or perſons ever to reſurvey the Indians lands, and aſcertain the bounds thereof. Lib. LL. No. 4. 31.

CHAP. XIII.

T empowering a committee to lay, aſſeſs and apportion the public levy for this preſent year, houſand ſeven hundred and twenty-one. Lib. LL. No. 4. fol. 532.

CHAP. XIV.

ACT to limit the continuance of actions in ſeveral courts within s province, and aſcertaining the manner of taking the evidence ſeafaring men, and for granting appeals from the chancery court the governor and council. Lib. LL. No. 4. fol. 533.

HEREAS it is repreſented as an aggrievance, the dilatory proceedings and continuances of actions, in ſeveral of the courts of this province; for remedy whereof for the future, Preamble.

E IT ENACTED, *by the right honourable the Lord Proprietary, by and with the advice and conſent of ip's Governor, and the Upper and Lower Houſes of Aſſembly, and the authority of the ſame*, That all now depending in any of the courts of law within this province, as well as all other actions ommenced, may be continued to the end of the fourth court after the appearance court, in the courts aforeſaid, and no longer, (except in cauſes where evidences are wanted from be- a,) which is left to the diſcretion of the court where ſuch caſe ſhall happen; and that it ſhall y be lawful for the ſeveral courts afore-mentioned, upon the diſcontinuance of any action or aforeſaid, (if by the act or default of the plaintiff,) to award him to pay the coſts, but if by or default of the defendant, then to give judgment for the plaintiff, and if through the de- any attornies neglecting their duty in bringing cauſes to a deciſion within the time limitted act, in all and every ſuch caſe, every attorney ſo neglecting his duty to the prejudice of his r client, ſhall, for every ſuch neglect in the provincial court, forfeit the ſum of five thouſand of tobacco, and for every neglect in the county court the ſum of two thouſand pounds of to- and all coſts of ſuit accrued on any action diſcontinued by default of ſuch attorney, one half aforeſaid fines to the party grieved, the other half to his lordſhip the lord proprietary, to be iated to and for the uſe and benefit of a public or free-ſchool of the county where ſuch fines o be recovered (in his lordſhip's name) in any of the courts of record within this province, on of debt, bill, plaint or information, wherein no eſſoin, protection or wager of law to be , and but one imparlance; provided that the time of continuance of any ſuch ſuits in the f law, by injunction in chancery, or by allowing infants the benefit of the parole demur, be ounted as part of the time of limitations aforeſaid. Actions may be continued, &c.

See November, 1787, ch. 9, and 1796, ch. 43, ſection 11.

AND, whereas it often happens that actions are delayed, by reaſon the evidences in ſuch ſuits faring men, or others, whoſe buſineſs and employments call them out of this province when tions ſhould regularly come to trial; BE IT THEREFORE FURTHER ENACTED, *by the authority, nd conſent aforeſaid*, That the depoſitions of any ſuch ſeafaring men, or others, taken before ices of any county court of this province, or one of the juſtices of the provincial court, in the e of the adverſe party to him that requires ſuch depoſitions to be taken, if upon due notice ks fit to be preſent, or upon notice to refuſe to be preſent, (the notice being proved,) ſhall ived as good evidence in any of the courts within this province, as if ſuch evidence were lly preſent upon the trial, and ſhould deliver the ſame *vivâ voce*. Depoſitions to be received, &c.

AND BE IT FURTHER ENACTED, *by the authority aforeſaid*, That from and after the end of this ſeſſion of aſſembly, it ſhall and may be lawful for any perſon or perſons that ſhall conceive ves aggrieved by any decree of the chancery court, to have an appeal to the governor and of this province for the time being, wherein each member ſhall have a full voice. Perſons aggrieved may appeal.

CHAP. XIV. Acts repealed.

V. AND BE IT FURTHER ENACTED, *by the authority aforesaid, by and with the advice and consent* *said*, That one act of assembly, made at a session of assembly, begun and held at the city of A lis the twenty-second day of April, *anno domini* one thousand seven hundred and eighteen, e An act to limit the continuance of actions in several courts within this province, and ascertain manner of taking the evidence of seafaring men, and for granting appeals from the chancery c the governor and council, and one other act, made at a session of assembly, begun and held aforesaid city of Annapolis the eleventh day of October, in the year of our Lord one thousan hundred and twenty, entitled, A supplementary act to the act to limit the continuance of ac several courts within this province, and ascertaining the manner of taking the evidence of se men, and for granting appeals from the chancery court to the governor and council, be and are by utterly repealed and made void.

Actions continued.

VI. AND BE IT ALSO ENACTED, That all actions that were continued in the provincial cour October court to April court last, and from the said April court to August or October this p year, and all other proceedings in the said April court that were postponed, continued or refer the second Tuesday of August this present year, be and are hereby continued to the said Tuesday of October, any thing in this or any former act for limitting the continuance of a to the contrary notwithstanding.

At a SESSION of ASSEMBLY begun and held at the CITY ANNAPOLIS, in the county of Anne-Arundel, the 20th, ended the 28th day of February, in the seventh year of the do nion of the right honourable CHARLES, absolute Lord and Prop tary of the provinces of Maryland and Avalon, Lord Baron of B timore, &c. *annoque domini* 1721, were enacted the laws follo ing, viz.

CHARLES CALVERT, ESQUIRE, GOVERNOR.

CHAP. XV.

Passed 28th of Feb. 1721.

An ACT for the naturalization of Albert Greening and John Oeth, of Anne-Arundel co Lib. LL. No. 4. fol. 536. A Private Act.

CHAP. XVI.

An ACT investing an estate of inheritance in fee-simple of twelve hundred acres, part of a tra land called New Munster, lying on Elk river, in Cæcil county, in Richard Thatcher, of C county, to him and his heirs and assigns for ever, and three hundred acres more, part of the tract of land called New Munster, in Peter Massey and Sarah his wife, to them and their heir ever. Lib. LL. No. 4. fol. 537. A Private Act.

CHAP. XVII.

An explanatory act of some doubtful expressions, and repealing some clauses in and of an act of a bly, entitled, (a) An act for preventing the making of trashy tobacco, and for the bettering staple of this province, and for supplying some defects therein. Lib. LL. No. 4. fol. 539.

(a) Made the preceding session this present year, ch. 8, which is expired.

CHAP. XVIII.

An ACT for the relief of Robert Tivis, Andrew Castlo and Gilbert Poulson, languishing pris in Anne-Arundel county, George Sexton, a languishing prisoner in Queen-Anne's county, and Robinson, a languishing prisoner in Talbot county. Lib. LL. No. 4. fol. 544. A Private A

SESSION of ASSEMBLY begun and held at the City of NNAPOLIS, in the county of Anne-Arundel, for the province Maryland, the 9th day of October, and ended the 3d day of ovember, in the 8th year of the dominion of the right honourable HARLES, abſolute Lord and Proprietary of the provinces of Mary-nd and Avalon, Lord Baron of Baltimore, &c. *annoque domini* 722, were enacted the following laws, viz.

CHARLES CALVERT, Esquire, Governor.

CHAP. I.

her ſupplementary act to the (a) act for killing wolves, crows and ſquirrels. Lib. LL. No. 4. 549. Paſſed 3d of Nov. 1722.

(a) 1713, ch. 13, which, together with its ſupplementary acts, was repealed by 1728, ch. 7.

CHAP. II.

CT for the relief of Francis Gandevit and John Read, both of the city of Philadelphia. LL. No. 4. fol. 551. A Private Act.

CHAP. III.

CT for uniting part of St. Paul's pariſh, in Baltimore county, to Weſtminſter pariſh, in Anne-ndel county. Lib. LL. No. 4. fol. 553.

B. By this act, from and after the firſt December next, the ſouth ſide of Patapſco river, in Baltimore county, from the thereof to the lower wading place over the Falls at the head thereof, and from thence with a ſtreight line to the Girdle dividing Anne-Arundel and Baltimore counties, and with that dividing line to the bay of Cheſapeake, then with the bay mouth of Patapſco river, ſhall be divided and taken from the ſaid pariſh called St. Paul's, in Baltimore county aforeſaid, united unto Weſtminſter pariſh, in Anne-Arundel county, &c.

CHAP. IV.

ACT to confirm lands deviſed for the uſe of the church. Lib. LL. o. 4. fol. 555.

HEREAS for a conſiderable time (from the firſt ſettlement of this province,) there were few or no miniſters to diſpenſe the word and ſacraments, that the country was in an unſettled on as to religion, and few or no pariſhes erected during that time: And whereas ſeveral pious ll diſpoſed perſons, for promoting the proteſtant religion, and for encouragement of miniſters, ven or deviſed ſeveral parcels of land for that uſe, but that notwithſtanding, the good intent ral of the deviſors have been fruſtrated through the negligence or unſkilfulneſs of the writers , which is a great injury to the church, and has and may be a diſcouragement to perſons cha- inclined to give any lands for glebes where they are wanted, as they are in many pariſhes, makes the incumbent unſettled, and reduces him to ſtraits as to his reſidence; for remedy f for the future, Preamble.

E IT ENACTED, *by the right honourable the Lord Proprietary, by and with the advice and conſent of hip's Governor, and the Upper and Lower Houſes of Aſſembly, and the authority of the ſame,* That any or perſons, being of ſound and diſpoſing mind and memory, that have heretofore deviſed, or reafter deviſe any lands or tenements to the uſe of any church or chapel within this province, upport or maintenance of the clergy or miniſtry of the church of England, as by law eſtabliſh- to the uſe of the church, or ſupport of the proteſtant religion in general, without particularly ning to what church, chapel or perſon, ſhall be good and effectual in law, notwithſtanding ſuch n, or any ambiguity or uncertainty in the wording of any will, if the intent of the teſtator can onably collected from the words of the will. Deviſes good, &c.

AND, for putting an end to diſputes about the right to ſuch lands, BE IT ENACTED, *by the y, advice and conſent aforeſaid,* That where the intent of the teſtator is at large, and it does not to what church, chapel or perſon, he deviſed ſuch land, in ſuch caſe the land ſo deviſed ſhall Land to go to the pariſh, &c.

CHAP. IV.

go to the pariſh or incumbent where ſuch land lies, in the ſame manner as glebes are common and that no want or inſufficiency of words, (where the intent appears,) ſhall defeat ſuch pariſ cumbent of ſuch land.

Proviſo.

IV. PROVIDED NEVERTHELESS, That this law ſhall in no wiſe affect any lands that hav heretofore diſputed in law, or eſcheated, or about which there is at this time any conteſt or depending; and provided likewiſe, that ſuch will or wills have and ſhall be ſigned by the te deviſing the ſame, or by ſome other perſon in his preſence, and by his expreſs directions, in t ſence of three or more credible witneſſes, and duly proved.

CHAP. V.

Paſſed 3d of Nov. 1722.

An ACT to regulate proſecutions in criminal caſes. Lib. LL. 4. fol. 557.

No indictment to be exhibited, &c.

BE IT ENACTED, *by the right honourable the Lord Proprietor, by and with the advice and conſe lordſhip's Governor, and the Upper and Lower Houſes of Aſſembly of this province, and the auth the ſame*, That from and after the publication hereof, no attorney-general, or clerk of the peace indictments, ſhall exhibit any bills or bill of indictments to any grand jury againſt any perſon w ever, without an expreſs order from *the governor and council*, (a) or from the court where the cution is to be, or ſome one of the juſtices of ſuch court, or unleſs the offender be bound over t court, or that the grand jury find or make a preſentment of the offence of their own knowledg penalty of paying the party grieved all the damages and charges that ſhall be occaſioned by ſuc ſecution, any law, ſtatute, uſage or cuſtom, to the contrary notwithſtanding.

(a) See the note under 1715, ch. 48, ſection 1.

CHAP. VI.

An ACT for the amendment of the law, and the ſpeedier advancement of juſtice in relation aſſeſſing of damages. Lib. LL. No. 4. fol. 558. Repealed 1794, ch. 46.

CHAP. VII.

An ACT for continuing all cauſes in the high court of appeals from the court that was appoi be held in July, 1722, for the time therein mentioned. Lib. LL. No. 4. fol. 559.

CHAP. VIII.

An ACT for preventing the deſtroying of boundaries, or bounded t and the bounding of trees, or ſetting up of boundaries, wit lawful authority. Lib. LL. No. 4. fol. 560.

Preamble

WHEREAS it appears to this preſent general aſſembly, that many abuſes and prejudice happened to many of the inhabitants within this province, occaſioned by private p taking upon themſelves, in a private manner, the bounding or re-bounding of trees, where bounds either of their own lands, or any other adjacent lands, may have any dependence, a by the bounding of trees at random in the woods, the multiplicity of which renders the true bo ries of lands very precarious and uncertain, and likewiſe by the cutting down or deſtroying of ed trees, either of or upon their own lands, or any others; for the remedy of which evils i future,

Penalty for cutting down boundaries, &c.

II. BE IT ENACTED, *by the right honourable the Lord Proprietor, by and with the advice and co his lordſhip's Governor, and the Upper and Lower Houſes of Aſſembly of this province, and the authorit ſame*, That from and after the end of this preſent ſeſſion of aſſembly, it ſhall not be lawful for any ſon or perſons whatſoever within this province, under any pretence whatſoever, to cut down, or wiſe deſtroy, any boundary or bounded trees, either of his own lands, or of the lands of any othe ſon whatſoever, even although ſuch boundary or bounded trees ſhould ſtand within the perſon land ſo cutting down and deſtroying the ſame, under the penalty of five thouſand pounds of to for every offence, the one half to the informer, or to him or them that ſhall ſue for the ſam other half to the uſe of free-ſchools in the county where the offence is committed.

Or bounding of trees, &c.

III. AND BE IT ALSO FURTHER ENACTED, That if any perſon or perſons whatſoever ſhall, out lawful authority, either at random, or for their own pleaſure, preſume to bound any tree or t the woods, or upon their own lands, or that ſhall bound any tree or trees, or ſet up other boun for their own or others land, in lieu and place of any original boundary or bounded tree that

yed or deſtroyed, without firſt giving notice to all perſons concerned in ſuch boundaries of and place propoſed for ſetting up or making ſuch new boundary, or that upon the failure of ns concerned in ſuch lands (upon notice, or when notice cannot be given,) being preſent at and place appointed, ſhall not take with him four ſubſtantial freeholders of his neighbourhood ſt, that may be preſent at the bounding ſuch tree or trees, or ſetting up ſuch other bounda- forfeit for every time he, ſhe or they ſhall be convicted thereof, the ſum of five thouſand f tobacco, the one half to the informer, or to him or them that ſhall ſue for the ſame, the lf to the uſe of free-ſchools in the county where the offence is committed; all which fines , to be recovered in his lordſhip's name, in any court of record within this province, by debt, bill, plaint or information, wherein no eſſoin, protection or wager of law ſhall be

CHAP. VIII.

ND BE IT FURTHER ENACTED, That in all proſecutions againſt any of the offenders aforeſaid, rney-general, or clerk of indictments, in their indictments or other proceedings, ſhall be as r as poſſible in deſcribing the place upon or to whoſe lands the boundaries relate, which have de, ſo ſet up or deſtroyed, contrary to the true intent of this act.

Proſecutor's duty.

CHAP. IX.

T to enable James Lloyd and Anne his wife, and Deborah Pemberton, ſurviving executors bert Grundy, deceaſed, to convey the lands and water-mill therein mentioned, according to es thereof made by the deceaſed in his life-time. Lib. LL. No. 4. fol. 561. A Private Act.

Paſſed 3d of Nov. 1722.

CHAP. X.

rther ſupplementary act to the * act for the better adminiſtration juſtice in teſtamentary affairs, granting adminiſtrations, recovery legacies, ſecuring filial portions, and diſtribution of inteſtates ates. Lib. LL. No. 4. fol. 563.

* 1715, ch. 39.

T ENACTED, *by the right honourable the Lord Proprietor, by and with the advice and conſent of his iſhip's Governor, and the Upper and Lower Houſes of Aſſembly, and the authority of the ſame*, That editor having any ſum of money, quantity of tobacco, or other goods, due from the eſtate of eaſed perſon by judgment, ſtatute, recognizance, mortgage, obligation, proteſted bill of ex- or other writing, before the executor or adminiſtrator of the debtor pay the ſame, ſhall be to make a ſolemn oath, or affirmation if a quaker, before ſome one juſtice of the provincial ne juſtice of the peace, the commiſſary-general, or deputy-commiſſary, for the time being, no part or parcel of the money, tobacco, or other goods mentioned in ſuch judgment, ſtatute, zance, mortgage, obligation, proteſted bill of exchange, or other writing, hath been paid, thing elſe given or delivered towards ſatisfaction thereof, more than is taken notice of and ed in ſuch oath or affirmation," and that what the creditor ſhall confeſs on oath or affirmation received, ſhall be deducted out of the debt, and the reſidue paid by the executor or adminiſtra- ing aſſets.

Creditor to make oath, &c.

ND BE IT ENACTED, That every executor or adminiſtrator of a creditor ſhall, before the or recovery of any debt due as aforeſaid from any other executor or adminiſtrator, ſwear or "that the creditor (to the knowledge of the executor or adminiſtrator, nor by any book, account, or other thing appearing to ſuch executor or adminiſtrator,) did not receive any parcel of the debt more than is mentioned in ſuch oath or affirmation, and likewiſe that he or not received any part of the debt, or any thing elſe towards ſatisfaction thereof, more than e gives an account of," which is always to be mentioned particularly in ſuch oath or affirma- nd deducted as aforeſaid.

Executor, &c. to ſwear, &c.

A mode of proof in ſome degree different from that in the above ſection is preſcribed by 1798, 101, ch. 9.

ND BE IT ALSO ENACTED, That where any creditor, or executor or adminiſtrator of a cre- hall obſtinately refuſe to ſwear or affirm according to the directions of this act, and will ſue plead the executor or adminiſtrator of the debtor that ſhall offer, on its being done, to pay all appear to be really due, ſhall be nonſuit, and pay full coſt; provided always, that ſuch ſhall not bar or eſtop the plaintiff to bring a new action, if needful, firſt complying with the ns of this law, and that any perſon that ſhall ſwear or affirm falſely in the premiſes, and be lawfully convict, ſhall incur the ſame pains and penalties as in caſe of wilful and corrupt

Refuſing to ſwear, to be nonſuit, &c.

IV. AND,

CHAP. X.

IV. AND, whereas ſeveral litigious executors and adminiſtrators, having enough in their h ſatisfy all the juſt debts of the deceaſed, in violation of their duty, and the truſt in them have ſuffered themſelves to be ſued, preſuming that the deceaſed's eſtate muſt be burthened the unneceſſary coſt they vexatiouſly occaſion, which has too frequently happened, to the gre of many honeſt creditors, the ruin of the legal repreſentatives, and diſreputation of the de

No executor to be allowed coſts, &c.

for remedy of which evils for the future, BE IT ENACTED, *by the authority, advice and conſent* That no executor or adminiſtrator ſhall hereafter be allowed any coſt of ſuit, in any action covered againſt ſuch executor or adminiſtrator, out of the deceaſed's eſtate, unleſs the cour whom the action is brought ſhall certify to the commiſſary-general or deputy-commiſſary, executor or adminiſtrator had juſt or probable cauſe or reaſon for withſtanding ſuch ſuit.

By 1798, 101, ch. 8, ſection 5, coſts may be allowed for inſtituting, proſecuting or defending actions, if the cour them ſhall certify that there were probable grounds.

Deputy-commiſſary to give bond.

V. AND BE IT FURTHER ENACTED, That every deputy-commiſſary ſhall enter into a bon ſufficient ſureties, (ſuch as the ſeveral county courts, who are hereby empowered and dir take the ſame, ſhall approve of, payable to the lord proprietor, in the penalty of two hundred ſterling,) for the due and juſt execution of his office, which bonds ſhall be lodged in the pro office, and liable to be aſſigned and ſued as the ſheriffs and other public officers bonds are.

CHAP. XI.

Paſſed 3d of Nov. 1722.

An ACT for the continuance of proceſs in Baltimore county court. Lib. LL. No. 4. fol.

CHAP. XII.

An ACT for regulating amerciaments in the provincial and co courts, and directing the application of them, and for repe part of an act, entitled, * An act for the better adminiſtrati juſtice in the high court of appeals, chancery, provincial and c ty courts of this province, for the more ſpeedy recovery of d eaſy obtaining of executions againſt perſons abſenting from counties where the judgments were recovered againſt them, for venting commiſſioners, ſheriffs, ſub-ſheriffs and deputy-clerk plead as attornies in the reſpective courts to which they belong, for amerciaments in the provincial and county courts. Lib. No. 4. fol. 565.

* 1715, ch. 41.

Plaintiff ſhall be amerced, &c.

BE IT ENACTED, *by the right honourable the Lord Proprietary, by and with the advice and conſe lordſhip's Governor, and the Upper and Lower Houſes of Aſſembly of this province, and the auth the ſame*, That every plaintiff, not being an executor, adminiſtrator or minor, that ſhall be caſt cauſe in the provincial court, or diſcontinue his ſuit, ſhall be amerced fifty pounds of tobacc every defendant in the ſame court, not being an executor, adminiſtrator or minor, that ſhall if he imparles, ſhall be amerced fifty pounds of tobacco, to be applied as the *governor and coun direct* (a); and that every plaintiff in the county court, (not being an executor, adminiſtr minor,) that ſhall be caſt in any cauſe, or ſhall diſcontinue the ſame, ſhall be amerced thirty of tobacco; and that every defendant, not being an executor, adminiſtrator or minor, that caſt, if he imparles, ſhall be amerced thirty pounds of tobacco, to be applied to the defray county charge; all which amerciaments to be levied by the ſheriffs, by way of execution, in th manner as the public and county levies are. (b)

(a) They are not now under the direction of the governor and coupcil, but are applied to the uſe of the colleges.

(b) By February, 1777, ch. 6, the amerciaments are to be paid by the ſheriffs to the treaſurer.

Proviſo.

II. PROVIDED, That no defendant ſhall be liable to any amerciament againſt whom judgme be rendered the firſt court.

Clauſe repealed.

III. AND BE IT FURTHER ENACTED, That one clauſe of an act, entitled, An act for the adminiſtration of juſtice in the high court of appeals, chancery, provincial and county courts province, for the more ſpeedy recovery of debts, eaſy obtaining of executions againſt perſons

he counties where the judgments were recovered againſt them, for preventing commiſſioners, b-ſheriffs and deputy-clerks, to plead as attornies in the reſpective courts to which they d for amerciaments in the provincial and county courts, that relates to amerciaments, and ation of them, ſhall be and is hereby repealed. CHAP. XII.

D BE IT FURTHER ENACTED, That it ſhall and may be lawful to and for the ſeveral and juſtices of the county courts within this province, at their diſcretion, where it ſhall appear at any plaintiff or defendant, in any action hereafter to be brought in any of the ſaid courts, by the negligence or omiſſion of the attorney or attornies, to immediately adjudge ſuch r attornies to pay the lawful coſts accruing from ſuch plaintiff or defendant through ſuch or omiſſion, not exceeding four hundred pounds of tobacco, but if the coſt ſhall ſurmount then in every ſuch caſe the plaintiff or defendant ſhall be left to their remedy at common that every attorney practiſing in any county court whereof he is not an inhabitant, ſhall be ſame circumſtances as to any recovery to be had againſt him, as though he was actually an of that county. Penalty on attornies for neglect, &c.

CHAP. XIII.

for the better relief of poor debtors. Lib. LL. No. 4. fol. 567.

n force three years, &c. Continued 1725, ch. 4, 1728, ch. 6, 1732, ch. 20, 1736, ch. 3, expired in 1740, was again 42, ch. 6, and 1746, ch. 3, and expired in 1750. Paſſed 3d of Nov. 1722.

CHAP. XIV.

nentary act to the * act for repairing the damages already ſuſtained in the records of the cretary's, commiſſary's and county court offices, and for ſecurity of the ſame records for re. Lib. LL. No. 4. fol. 569. * 1716, ch. 1.

CHAP. XV.

directing how fines ſhall be adjudged againſt ſuch as neglect to appear at muſters. Lib. LL. fol. 570.

CHAP. XVI.

to prohibit the clandeſtine running of tobacco into any of the neighbouring colonies. . No. 4. fol. 571.

CHAP. XVII.

to enable Hugh Matthews to ſell a tract of land lying in Queen-Anne's county, called Fancy, whereof Dennis Sullivane died ſeized. Lib. LL. No. 4. fol. 573. A Private Act.

CHAP. XVIII.

for the relief of ſome perſons that have ſuffered by the miſconception of the laws hereto- le to regulate the making of tobacco. Lib. LL. No. 4. fol. 574, A Private Act.

CHAP. XIX.

for the limitation of actions of treſpaſs and ejectment. Lib. LL. No. 4. fol. 575. Diſſent.

CHAP. XX.

for the relief of John M'Cleiſter of Somerſet county, gentleman. Lib. LL. No. 4. fol. Private Act.

CHAP. XXI.

to enable Thomas Dent, of Charles county, and Anne his wife, to ſell part of a tract of g in Prince-George's county, called Locuſt Thicket, entailed on the ſaid Dent's wife, and s, &c. and for entailing other lands in Charles county in lieu thereof. Lib. LL. No. 4. A Private Act.

CHAP. XXII.

for the relief of William Griffin and William Jarvis, languiſhing priſoners in Calvert coun- Robert Morris, a languiſhing priſoner in Anne-Arundel county. Lib. LL. No. 4. fol. Private Act.

At a SESSION of ASSEMBLY begun and held at the City of NAPOLIS, on the 23d day of September, and ended the day of October, in the 9th year of the dominion of the honourable CHARLES, abſolute Lord and Proprietary of the vinces of Maryland and Avalon, Lord Baron of Baltimore, *annoque domini* 1723, the following laws were enacted.

CHARLES CALVERT, Esquire, Governor.

CHAP. I.

Paſſed 28th of Sept. 1723.

An ACT for reviving an act, entitled, (a) An act for raiſing a duty of three-pence per hog all tobacco exported out of this province, for the uſes therein mentioned. Lib. LL. fol. 584.

(a) 1720, ch. 1, hereby continued till the 29th September, 1726.

CHAP. II.

An ACT reviving and continuing the (b) act for aſcertaining the gauge and tare of tobac heads, &c. Lib. LL. No. 4. fol. 585.

(b) 1717, ch. 7, hereby continued till the 29th September, 1726.

CHAP. III.

An ACT reviving and continuing an act, entitled, (c) An act for regulating of ordinaries. L No. 4. fol. 585.

(c) 1717, ch. 1, hereby continued till the 29th September, 1726.

CHAP. IV.

An ACT reviving and continuing an act of aſſembly, entitled, (d) An act for relieving the tants of this province from ſome aggrievances in the proſecution of ſuits at law. Lib. LL fol. 586.

(d) 1714, ch. 4, hereby continued three years, &c.

CHAP. V.

An ACT for repealing the ſeveral acts of aſſembly now in force in this province that give a for killing wolves, crows and ſquirrels, ſo far as they relate to the killing crows and ſquirr Lib. LL. No. 4. fol. 586. Repealed 1728, ch. 7.

CHAP. VI.

An ACT to prevent the great evils ariſing by the importation of convicts into this province, the better diſcovery of ſuch when imported. Lib. LL. No. 4. fol. 587. Diſſent.

CHAP. VII.

An ACT for the relief of John Makenzie, of Talbot county. Lib. LL. No. 4. fol. 588. vate Act.

CHAP. VIII.

An ACT for the eaſe of the inhabitants in examining evidenc lating to the bounds of lands, and in the manner of obt injunctions. Lib. LL. No. 4. fol. 588.

Preamble.

WHEREAS the bounds of land in this province depend chiefly upon marked trees, w ſubject to decay, or upon bays, rivers, creeks or branches, the names whereof do fr become obſolete or change, by which means the true bounds of ſuch lands, (in proceſs of ti come doubtful, and cauſe tedious and chargeable lawſuits to the owners thereof, and very o loſs of their inheritance; wherefore, for the more eaſy examination of evidences in perp mory, relating to boundaries,

IT ENACTED, *by the right honourable the Lord Proprietor, by and with the advice and consent of his Governor, and the Upper and Lower Houses of Assembly, and the authority of the same*, That after the end of this present session of assembly, upon the petition of any person seized or of lands, in his own or any other right, to any of the several county courts within this province the land lies, for a commission to examine evidences, to prove or perpetuate the memory the bounds of such lands, or of any other lands whereon the lands he shall be so seized or of shall depend, or whereto they relate, it shall and may be lawful for the justices of such court, as often as any such petition shall be to them preferred, to grant a commission to four l and capable freeholders within the said county, (not being any way related to any of the nor interested in the land,) empowering them, or any three or two of them, (they having n an oath before the said county court, or some magistrate, duly and impartially to examine fy such evidences,) to issue summons for all such evidences as shall be to them nominated by oner, or other person concerned, to appear before them at a certain day by them to be ap- upon the lands, the boundaries whereof are to be proved or perpetuated, and to examine evidences upon their corporal oaths, to be administered by such commissioners, of their know- ncerning the several bounds of such lands, and carefully to reduce what the evidences shall into writing, in the presence of all the parties concerned that shall be there present, and e same to the county court where the land lies, to be recorded in perpetual memory.

CHAP. VIII.

Court, on petition, may grant a commission, &c.

ND BE IT ENACTED, That all examinations of witnesses that shall be taken by virtue of and ance of this act, shall be as good and available as if taken according to the rules and practice ourt of chancery, any defect or want of form, or of filing or exhibiting a bill, or any law, custom to the contrary notwithstanding.

Examinations to stand good.

ROVIDED ALWAYS, That the commissioners to be appointed by virtue of this act shall, (before eting on such land, where all parties concerned live in the county, or where they are not affix public notes at the parish church where the land lies, three Sundays at the least before eting, intimating their intentions, and the time they shall appoint, and shall cause the like be put up in the most public places in the county twenty days before such meeting, and that ll persons interested are known, and any one of them lives out of the county, that notice given by affixing a note at the church door of the parish in which the party resides, forty days ast before such meeting of the commissioners, and that the commissioners shall return a certi- having given notice, directed by this act, with the examination of the witnesses.

Proviso.

ND, whereas many persons in the remoter counties of this province, having equitable rights he recoveries of law that happen against them in such counties, but before the inconveniency purchasing injunctions, as the practice stands at present, are obliged to submit to the injuries eive, or to procure sureties to go with them to Annapolis, to enter into bond in the chance- which is almost impracticable; for remedy whereof, BE IT FURTHER ENACTED, That in case on shall think fit to proceed in equity against any verdict or judgment rendered against him, pplication to the county court it shall and may be lawful for such county court to take suffici- rity from such person, with two sufficient sureties, in not less than double the debt and costs d against him, for the due prosecution of a writ of injunction in that case, according to the owing: "KNOW all men by these presents, That we A. B. C. D. and E. F. of —— county, ld and firmly bound unto R. M. of ——, &c. in the full and just sum of —— to be paid to d R. M. his executors, administrators or assigns; to the true payment whereof we bind our- and every of us, our and every of our heirs, executors and administrators, jointly and se- , for and in the whole, firmly by these presents. Sealed with our seals, and dated this —— —— *anno domini* 17——. Whereas the above bound A. B. hath obtained an injunction to stay dings at law, on a judgment rendered against him in —— county court, by —— for ——. he condition of the above obligation is such, That if the said A. B. shall prosecute the said f injunction with effect, and satisfy and pay as well the said —— as all costs, damages and that shall accrue in the chancery court, or be occasioned by the delay of execution on the dgment, unless the court of chancery shall decree to the contrary, and shall in all things uch order and decree as the chancery court shall make in the premises, then the above obli- to be void and of none effect, else to be in full force and virtue." And that such bond so ll be a sufficient *supersedeas* and stop to any further proceedings in that case, until the person whom such chancery relief is proposed shall obtain a certificate from the chancellor, or his of the disallowance of an injunction in such case, or that such injunction has not been sued e chancery office within two months after such bond given, or if sued out, that the same is

On application, court may take security, &c.

CHAP. VIII. Proviſo.

VI. PROVIDED ALWAYS, AND BE IT ENACTED, *by the authority aforeſaid*, That the comm and evidences, for their ſervice and attendance, ſhall have and be entitled to the ſame allow juſtices and evidences in the county courts are, and that the ſame ſhall be levied in the ſame as officers fees are.

CHAP. IX.

Paſſed 26th of October, 1723.

An ACT for the relief of George Robins, of Talbot county, gentleman. Lib. LL. No. 590. A Private Act.

CHAP. X.

An ACT for the relief of William Jarvis and William Griffin, languiſhing priſoners in Calve ty. Lib. LL. No. 4. fol. 590. A Private Act.

CHAP. XI.

* 1704, ch. 27.

An ACT repealing ſuch part of an act of aſſembly, entitled, * An act for laying an impoſ ſeveral commodities exported out of this province, as relates to the laying an impoſt or furs and ſkins only, and for laying an impoſition on pork, pitch and tar, in lieu thereof. L No. 4. fol. 591.

CHAP. XII.

An ACT for the advancement of juſtice. Lib. LL. No. 4. fol. 592.

To be in force three years. Continued 1727, ch. 5, 1731, ch. 1, and 1735, ch. 18, and with its ſupplementary a ch. 10, and explanatory act 1732, ch. 6, expired in 1740.

CHAP. XIII.

An ACT for the relief of Elizabeth Major, of Prince-George's county, by empowering h withſtanding her coverture, to leaſe for her life the lands therein mentioned. Lib. LL fol. 595. A Private Act.

CHAP. XIV.

* 1718, ch. 8.

A Supplementary act to an act, entitled, * An act declaring the rights of three lots, origin out in Annapolis, for the uſes therein mentioned. Lib. LL. No. 4. fol. 596.

CHAP. XV.

An ACT to prevent the tumultuous meetings and other irregul of negroes and other ſlaves. Lib. LL. No. 4. fol. 596.

Supplementary, &c. acts, are 1751, ch. 14, and 1753, ch. 26.

Preamble.

WHEREAS this preſent ſeſſion of aſſembly have had under their conſideration the ev q[illegible]nces that do and may attend the ſuffering of negro and other ſlaves to meet in gre bers on Sabbath and other holydays, and keeping of horſes, cattle or hogs of their own;

Conſtables to be appointed, &c.

II. BE IT ENACTED, *by the right honourable the Lord Proprietor, by and with the advice and his lordſhip's Governor, and the Upper and Lower Houſes of Aſſembly, and the authority of the ſame*, T juſtices of the ſeveral and reſpective county courts within this province be and they are he powered and required, immediately after the publication of this act, and ſo yearly in N court, to appoint the conſtable of every hundred, where the ſaid juſtices, at their diſcreti think proper and expedient, to ſuppreſs the aſſembling and tumultuous meeting of negroes a ſlaves; and that every conſtable ſo to be appointed, ſhall be obliged to repair once a mon ſuſpected places within his hundred, and if at any ſuch place he ſhall find any negroes or othe beſides the negroes or other ſlaves belonging to the owner of ſuch place, not having a licenc their owner or overſeer's hand, that it ſhall and may be lawful for the conſtable, and he is by required, to whip every ſuch negro on the bare back, at his diſcretion, not exceeding thi ſtripes.

May preſs aſſiſtance, &c.

III. AND, to the end that every conſtable may be enabled to put this act in due execution, ENACTED, That it may be lawful for the conſtable to require as many perſons as may be nece repair with him to ſuch places, and that every perſon that ſhall be ſo required, and ſhall refu forfeit one hundred pounds of tobacco, to be recovered and applied as hereafter expreſſed, white perſons (being free) that ſhall be preſent, ſhall aid and aſſiſt ſuch conſtable, on pain o ing one hundred pounds of tobacco to the lord proprietor, one half to the uſe of the county, other to the informer, on being convict by the oath of the conſtable, or other lawful witneſs,

the party before any magiſtrate; and that all negroes and other ſlaves, belonging to the the place where ſuch aſſembly ſhall be, if required, ſhall aid and aſſiſt the conſtable in put act in execution, on pain of being whipped each of them with thirty-nine ſtripes on the bare

CHAP. XV.

ND BE IT ENACTED, That every conſtable that ſhall be appointed to put this act in execu- be allowed five hundred pounds of tobacco in the county levy; and if it ſhall ſo happen at , that any negro or other ſlave ſhall ſtrike any white perſon, it ſhall and may be lawful upon de thereof, either by the oath of the party ſo ſtruck, or otherwiſe, before any juſtice of the or ſuch juſtice to cauſe one of the negro's or other ſlave's ears ſo offending to be cropt.

Their allowance, &c.

ND BE IT LIKEWISE ENACTED, That the owner of any plantation or plantations, that ſhall ime diſcover any ſtrange negro or other ſlaves upon any of their plantations, unleſs they are heir owners on lawful occaſions, and ſhall warn ſuch negroes or other ſlaves to be gone home maſters or owners, any negroes or other ſlaves refuſing or delaying ſo to do, it ſhall and may l for the owner of ſuch plantation to correct ſuch negro by whipping, not exceeding thirty- es; and any perſon that ſhall wittingly encourage any negro or other ſlaves to meet in com- n their plantations, unleſs on lawful occaſions, ſhall forfeit and pay for every ſuch offence ſand pounds of tobacco to the uſe aforeſaid, to be recovered as aforeſaid.

Perſons may warn ſtrange ſlaves, &c.

AND BE IT FURTHER ENACTED, *by the authority, advice and conſent aforeſaid*, That any maſter r of any negro or other ſlaves, that ſhall ſuffer any ſuch ſlaves to them belonging to keep any r mares, or to raiſe any cattle or hogs, as the proper right of ſuch ſlaves, the maſter or owner ſlaves ſhall forfeit and pay five hundred pounds of tobacco, to be recovered and applied as d, and alſo all ſuch horſes and mares, cattle and hogs, ſhall likewiſe be forfeited, one half to rmer, the other half to be applied as aforeſaid.

Slaves not to keep horſes, &c.

AND BE IT FURTHER ENACTED, *by the authority aforeſaid, by and with the advice and conſent* , That whereas many negroes and other ſlaves abſent themſelves from their maſters ſervice, out into the woods, and there remain killing and deſtroying of hogs and cattle belonging unto ple of this province, if that ſuch negro or negroes, or other ſlaves ſo out-lying as aforeſaid, uſe to ſurrender themſelves, making reſiſtance againſt ſuch perſons as purſue to apprehend them up, being thereunto legally empowered, it ſhall be lawful to and for ſuch purſuers, ch reſiſtance made, to (a) ſhoot, kill and deſtroy ſuch negro or negroes, or other ſlave as d.

Reſiſting, they may be ſhot, &c.

(a) By 1751, ch. 14, ſection 9, perſons ſo killing any ſlave are indemnified from proſecution, the ſlave ſo killed is to be and the value paid to the owner; and by 1753, ch. 26, perſons ſo killing any ſlave ſhall undergo a trial, but on the general iſſue, and acquittal thereon, the public ſhall pay the coſts of the proſecution.

This act to be read at every county court by the ſheriff, or his deputy, on pain of forfeiting dred pounds of tobacco for every omiſſion, to the lord proprietor, one half to the uſe of the where the omiſſion ſhall happen, and the other half to the informer, to be recovered by f debt, bill, plaint or information, wherein no eſſoin, protection or wager of law ſhall be

Sheriff to read this act.

CHAP. XVI.

ACT to puniſh blaſphemers, ſwearers, drunkards and ſabbath akers, and for repealing the laws heretofore made for the niſhing ſuch offenders. Lib. LL. No. 4. fol. 598.

Paſſed 26th of October, 1723.

T ENACTED, *by the right honourable the Lord Proprietor, by and with the advice and conſent of his dſhip's Governor, and the Upper and Lower Houſes of Aſſembly, and the authority of the ſame*, That perſon ſhall hereafter, within this province, wittingly, maliciouſly and adviſedly, by writing king, blaſpheme or curſe God, or deny our Saviour Jeſus Chriſt to be the ſon of God, or ſhall e Holy Trinity, the Father, Son and Holy Ghoſt, or the Godhead of any of the Three Per- the Unity of the Godhead, or ſhall utter any profane words concerning the Holy Trinity, the Perſons thereof, and ſhall be thereof convict by verdict, or confeſſion, ſhall, for the firſt be bored through the tongue, and fined twenty pounds ſterling to the lord proprietor, to be to the uſe of the county where the offence ſhall be committed, to be levied on the offender's oods and chattels, lands or tenements, and in caſe the ſaid fine cannot be levied, the offender r ſix months impriſonment without bail or mainpriſe; and that for the ſecond offence, the of-

Blaſphemers to be puniſhed, &c.

CHAP. XVI.

fender being thereof convict as aforesaid, shall be stigmatized by burning in the forehead w letter B, and fined forty pounds sterling to the lord proprietor, to be applied and levied as af and in case the same cannot be levied, the offender shall suffer twelve months imprisonment w bail or mainprise; and that for the third offence, the offender being convict as aforesaid, sha death without the benefit of the clergy.

Swearers to be fined.

II. And be it enacted, That every person that shall hereafter profanely swear or curse presence and hearing of any magistrate, minister, the commissary-general, secretary, sheriff, c provincial or county clerk, vestryman, churchwarden or constable, or be convicted thereof any magistrate, by the oath of one lawful witness, or confession of the party, shall, for the fir or curse, be fined two shillings and six-pence current money, and for every oath or curse af first, five shillings like money, to be applied to the uses aforesaid.

Drunkards to be fined.

III. And be it enacted, That every person that shall be drunk in the presence of any persons aforesaid, or shall be thereof convict in manner aforesaid, before any magistrate, fined for every offence five shillings current money, to be applied as aforesaid.

How they may be punished, &c.

IV. And be it enacted, That where the said fines shall not be immediately paid on conv that it shall and may be lawful for the magistrates, or other officers aforesaid, and they are required, to order the offender (not being a freeholder, or other reputable person,) to be w or put in the stocks, and for that purpose to appoint any person, (not having a lawful exempti a constable, on such occasion, to punish such offender; and that any such person to be so appo that shall refuse to obey such magistrate, or other officer, shall forfeit ten shillings current mon be applied as aforesaid, for which fine, the magistrate, or other officer, shall and may give jud and award execution against such offender; and that where the offenders shall be freehold other reputable persons, and shall not have money to pay the aforesaid fines, the magistrate, o officer, shall be, and are by this act, required to certify all such convictions to the several clerks where the offence shall be committed, who shall, every November court, make out lists of with the county levy, to the several sheriffs, under the county seal, by virtue where sheriffs shall and may levy the same in money, or tobacco at one penny per pound, by way of tion, as other public dues are to be levied.

Proviso.

V. Provided always, That no offender shall receive above thirty-nine lashes, or be kept stocks above three hours, upon any one conviction.

Penalty on magistrates, &c.

VI. And be it enacted, That every magistrate, or other officer, appointed to put this execution, and being guilty themselves of cursing, swearing or drunkenness, or omitting to others according to law, shall for every such offence or omission, and conviction thereof in aforesaid, before any other magistrate or officer afore-mentioned, forfeit ten shillings current to be levied and applied as aforesaid.

Offenders, how to be treated.

VII. And be it enacted, That if any offender shall revile or abuse any magistrate, or officer, putting this act in execution, the offender shall be obliged to give good security (in t of five pounds current money,) for his good behaviour for the space of three months, and in thereof to suffer one month's imprisonment, without bail or mainprise.

Magistrates, &c. assaulted, &c.

VIII. And be it enacted, That if any magistrate, or other person putting this act in exec shall be assaulted or beaten by the offender, or any other, that the party grieved, if he br action of assault and battery, shall and may recover treble damages and full costs.

General issue.

IX. And be it enacted, That if any person shall be sued or impleaded for any thing to be in execution of this act, the defendant may plead the general issue, and give this act and the matter in evidence, and if a verdict shall be found for the defendant, or the plaintiff be nonsu discontinue his action, the defendant shall have and recover treble costs.

Sabbath breaking punishable, &c.

X. And be it enacted, That no person whatsoever shall work or do any bodily labour Lord's day, commonly called Sunday, and that no person, having children, servants or slaves command, or wittingly or willingly suffer any of them to do any manner of work or labour Lord's day, (works of necessity and charity always excepted,) nor shall suffer or permit any ch servants or slaves, to profane the Lord's day, by gaming, fishing, fowling, hunting, or u pastimes or recreations; and that every person transgressing this act, and being thereof con

of one ſufficient witneſs, or confeſſion of the party before a ſingle magiſtrate, ſhall forfeit red pounds of tobacco, to be levied and applied as aforeſaid. CHAP. XVI.

ND BE IT LIKEWISE ENACTED, That no houſekeeper ſhall ſell any ſtrong liquor on Sunday, n caſes of abſolute neceſſity,) or ſuffer any drunkenneſs, gaming, or unlawful ſports or re- in his or her houſe, on pain of forfeiting two thouſand pounds of tobacco to his lordſhip, to the uſe aforeſaid, and the other half to him that will ſue for the ſame, to be recovered of debt, bill, plaint or information, wherein no eſſoin, protection or wager of law ſhall be

No liquor to be ſold on Sunday.

ND BE IT ENACTED, That every pariſh clerk within this province ſhall procure a copy of which the county clerks are hereby required to ſuffer the pariſh clerks to take, without fee , for which he ſhall be allowed in the pariſh fifty pounds of tobacco, and that the ſame ſhall our times a year, viz. on ſome Sunday in March, in June, in September, and in December, miniſter within this province, in their reſpective pariſh churches, between divine ſervice on, on pain of forfeiting one thouſand pounds of tobacco for every omiſſion, one half to the rietor, for the uſe aforeſaid, and the other half to him that will ſue for the ſame, to be re- y action of debt, bill, plaint or information, wherein no eſſoin, protection or wager of law owed.

Act to be read, &c,

ROVIDED ALWAYS, AND BE IT ENACTED, That all informations for blaſphemy and Sabbath ſhall be made within one month after the fact; and that all proſecutions and informations ing, curſing, drunkenneſs, and omiſſion to puniſh the ſame, ſhall be made within ten days fact; and that all proſecutions for not reading this act, and for ſelling liquors, and ſuffering eſs and gaming on the Sabbath day, ſhall be commenced within ſix months after ſuch omiſſion, fter.

Limitation of proſecutions.

AND BE IT FURTHER ENACTED, *by the authority, advice and conſent aforeſaid*, That one act, a ſeſſions of aſſembly begun and held at the port of Annapolis the firſt day of July, *anno domini* undred and ninety-ſix, entitled, An act for ſanctifying and keeping holy the Lord's day, y called Sunday, and alſo one other act of aſſembly, made at a ſeſſion of aſſembly begun and he city of Annapolis the twenty-ſixth day of April, one thouſand ſeven hundred and fifteen, An act for the puniſhment of blaſphemy, profane ſwearing, curſing and drunkenneſs, be and y repealed and made void.

Acts repealed.

ROVIDED, That all proſecutions already begun for any breach of the former laws, or any rendered, ſhall not be defeated or altered by this act, but that the ſeveral courts and ma- may proceed to hear and determine the ſame to judgment, award execution, and on all former s rendered as aforeſaid, as fully and amply as heretofore they might have done, the repeal d acts to the contrary notwithſtanding.

Proviſo.

CHAP. XVII:

CT directing the manner of recovery of fines for not appearing he clearing of the highways. Lib. LL. No. 4. fol. 600.

Paſſed 26th of October, 1723.

EREAS by an * act of aſſembly, made at the town and port of Annapolis, the fifth day of eptember, *anno domini* ſeventeen hundred and four, entitled, An act for marking the high- . there is a fine of one hundred pounds of tobacco to be levied upon all taxable male perſons neglect to attend at the clearing and mending the highways, when duly warned by the over- reof, the which fines have proved a greater burthen to the people than was deſigned by that eans of the chargeable way of recovery thereof in the county courts; for remedy whereof,

Preamble.

* 1704, ch. 21.

IT ENACTED, *by the right honourable the Lord Proprietor, by and with the advice and conſent of p's Governor, and the Upper and Lower Houſes of Aſſembly, and the authority of the ſame*, That after the end of this preſent ſeſſion of aſſembly, no perſon within this province ſhall, by the afore-mentioned act, be proſecuted in any county court for their not appearing when o clear the highways, any thing contained therein to the contrary notwithſtanding.

No perſon to be proſecuted, &c.

UT in all ſuch caſes, any one juſtice of the county courts, to whom complaint ſhall be made, y fully authoriſed and empowered, upon complaint made to him againſt any perſon for not g, or owners of ſervants for not ſending their ſervants on the highways, when duly warned,

But determined by a magiſtrate, &c.

to

CHAP. XVII.

to iſſue his warrant to the conſtable to bring ſuch perſons, or owners of ſervants, before him, ſummons witneſſes, as need ſhall require, and upon appearance before him, fully to hear and mine all ſuch caſes, and as he ſhall ſee juſt and reaſonable cauſe, either to acquit and diſcharg perſons, or fine them according to the direction of the afore-mentioned act of aſſembly, to t therein mentioned, and to be levied in manner as thereby is directed; and every juſtice of the awarding ſuch fines againſt any perſon as aforeſaid, are hereby required to keep a fair account ſuch fines, and to return a true liſt thereof to the juſtices of the county courts yearly, at the laying the county levies, of which account the ſaid county courts ſhall cauſe their clerks to fair copy to the ſheriff of the county, in order to collect ſuch fines and forfeitures, and on re payment thereof, the ſheriff is hereby empowered to levy the ſame by way of execution, in th manner as the public and county levies of this province have uſually been levied and collect render an account thereof to the juſtices of the reſpective county courts, to be applied to t aforeſaid.

CHAP. XVIII.

Paſſed 26th of October, 1723.

An ACT for quieting the poſſeſſions of the Indians inhabiting Nanticoke and Choptank rivers. Lib. LL. No. 4. fol. 601.

Preamble.

WHEREAS the Indians, inhabiting on Nanticoke and Choptank rivers, have complained general aſſembly of ſeveral encroachments made into the ancient bounds and limits lands heretofore granted them by the lord proprietor, and confirmed by ſeveral acts of aſſe this province; for remedy whereof, and to prevent complaints of like nature for the future,

Land confirmed to the Indians, &c.

II. BE IT ENACTED, *by the right honourable the Lord Proprietor, by and with the advice and c his lordſhip's Governor, and the Upper and Lower Houſes of Aſſembly, and the authority of the ſame,* T Nanticoke Indians, and their deſcendants, ſhall have, hold, occupy, poſſeſs and enjoy, a free able and uninterrupted poſſeſſion, of all that tract or parcel of land lying between the north-w of Nanticoke river and Chicucone creek, for and during ſuch ſpace of time as they, or any o ſhall think fit to uſe, and ſhall not wholly and totally deſert and quit claim to the ſame, accor the ſame is butted and bounded by an act of aſſembly of this province, made in the year of ou ſixteen hundred ninety-eight, entitled, An act for aſcertaining the bounds of a certain tract o to the uſe of the Nanticoke Indians, ſo long as they ſhall occupy and live upon the ſame; a the ſaid Indians ſhall not, at any time hereafter, ſell, diſpoſe of, or leaſe for term of years, a or parcel of the aforeſaid land, to any perſon or perſons whatſoever; and that the Choptank I and their deſcendants, ſo long as they ſhall occupy or claim, and ſhall not totally deſert the ſhall hold and poſſeſs, quietly and peaceably, all that tract of land lying in Dorcheſter cou Choptank river, according to the metes and bounds thereof, ſurveyed and returned by the hon Philemon Lloyd, Eſquire, colonel Richard Tilghman, and colonel Matthew Tilghman Ward miſſioners appointed by his honour the governor to aſcertain and lay out the ſame, purſuant to of aſſembly of this province, made in the year of our Lord ſeventeen hundred and twenty-on ſurvey being found purſuant and agreeable to the intent and deſign of one act of aſſembly, m the city of St. Mary's, in the year of our Lord ſixteen hundred ſixty-nine, by which that la granted to the ſaid Indians.

They ſhall not ſell, &c.

III. AND BE IT FURTHER ENACTED, That the Choptank Indians aforeſaid, at any time her ſhall not, on any pretence whatſoever, alienate, diſpoſe, ſell or let to farm, any part or p the lands before mentioned, except that part thereof which lies to the eaſtward, ſouthwa weſtward of thoſe lines formerly run, from the head of ſecretary Sewall's creek to the bound of William Dorrington, by colonel Thomas Smithſon and lieutenant-colonel Thomas Ennalls, exterior bounds of the aforeſaid land, purſuant to an ordinance of aſſembly then made; and any perſon ſhall preſume to purchaſe or leaſe any part thereof, (except as before excepte purchaſe or leaſe ſhall be utterly void, and of none effect.

No leaſe to be of force, &c.

IV. AND IT IS HEREBY FURTHER ENACTED, That no leaſe for term of years, or for life, made, ſhall be of any force or effect longer than ſeven years after the end of this ſeſſion of a and that thoſe perſons who hold by virtue of any ſuch leaſe from the ſaid Indians, be and are obliged punctually and faithfully to pay and ſatisfy to ſuch Indian or Indians, under whom th the ſeveral and reſpective rents contracted for; and if any perſon ſhall refuſe or delay to p rent yearly, as it becomes due, ſuch leaſe ſhall become void, and it ſhall and may be lawful juſtice of the peace within the county where ſuch rent ſhall ariſe and become due, and re unpaid, upon complaint to him made by ſuch Indians, to iſſue warrant, give judgment, and execution for the ſame, in the ſame manner as in the act for recovery of ſmall debts is provi

D BE IT FURTHER ENACTED, That all ſales, gifts, grants or leaſes, made by any the In- CHAP. XVIII.
reſaid ſince November, ſeventeen hundred and twenty-one, of any the lands lying on the Sales void, &c.
of ſecretary Sewall's creek aforeſaid, and the ſouthern branch thereof, and within the
by colonel Thomas Smithſon and lieutenant-colonel Thomas Ennalls as aforeſaid, being
to an ordinance of aſſembly then made, be and are hereby declared to be null, void, and of

OVIDED NEVERTHELESS, That ſuch ſurveys and purchaſes which have already *bonâ fide* been Proviſo.
e November, ſeventeen hundred and twenty-one, or which hereafter ſhall be *bonâ fide* made,
the Choptank Indians lands, comprehended within the metes and bounds ſurveyed and aſ-
by the honourable Philemon Lloyd, Eſquire, colonel Richard Tilghman and colonel
Tilghman Ward, commiſſioners as aforeſaid, and lying to the eaſtward, ſouthward or weſt-
the lines run by colonel Thomas Smithſon and lieutenant-colonel Thomas Ennalls aforeſaid,
re hereby confirmed and made valid unto the purchaſers or takers up of the ſame, and their
aſſigns for ever, any thing in this act to the contrary notwithſtanding.

ROVIDED LIKEWISE, That ſuch purchaſes by any perſon or perſons of any land belonging Proviſo.
hoptank Indians aforeſaid, be made when thoſe Indians are ſober, and of ſound and perfect
and the conſideration agreed for paid, or ſecured to be paid to them, by ſuch purchaſers,
e executing of the deeds of ſale; and that all deeds of ſale hereafter made by the Indians
ſhall be acknowledged by them before the juſtices of the county in court ſitting, or before
nore of his lordſhip's council, who are hereby empowered to take the ſame, otherwiſe to be
of no effect.

CHAP. XIX.

CT for the encouragement of learning, and erecting ſchools in ſeveral counties within this province. Lib. LL. No. 4. fol. 2.

Paſſed 26th of October, 1723.

Supplementary acts, 1728, ch. 8, 1795, ch. 66.

EREAS the preceding aſſemblies for ſome years paſt have had much at heart the abſolute Preamble.
eceſſity they have lain under, in regard both to duty and intereſt, to make the beſt proviſion
power for the liberal and pious education of the youth of this province, and improving their
abilities and acuteneſs, (which ſeems not to be inferior to any,) ſo as to be fitted for the
of their duties in the ſeveral ſtations and employments they may be called to and employed
r in regard to church or ſtate, and for that end laid an impoſition on ſundry commodities
out of, and others imported into, this province, and other fines, for the raiſing a fund for
ing and ſupporting a good ſchool in each county within this province, which has ſucceeded
h deſired effect, that it is now thought neceſſary, and is prayed that it may be enacted,

ND BE IT ENACTED, *by the right honourable the Lord Proprietor, by and with the advice and con-* School to be
lordſhip's Governor, and the Upper and Lower Houſes of Aſſembly, and the authority of the ſame, erected.
ſome convenient time, after the end of this preſent ſeſſion of aſſembly, there ſhall (for the
ore mentioned,) be erected one ſchool in each county within this province, at the moſt con-
place, as near the centre of the county as may be, and as may be moſt convenient for the
of children, at the diſcretion of the viſitors, or the major part of them, that are hereafter
d, appointed and empowered by this act, in each county.

ND BE IT THEREFORE ENACTED, *by the authority, advice and conſent aforeſaid*, That for the Viſitors ap-
ng the ſeven ſeveral perſons hereafter named for each county be and are hereby nominated, pointed, &c.
d and named Viſitors, and are empowered with full and ſufficient authority for diſcharging
al offices, duties and truſts, repoſed in and required of them by this act, within the ſeveral
ective counties wherein they reſide; that is to ſay, For St. Mary's county, the reverend
laſſey, James Bowles, Eſquire, Nicholas Lowe, Eſquire, Mr. Samuel Williamſon, colonel
Trueman Greenfield, Mr. Thomas Waughop, and captain Juſtinian Jordan; For Kent coun-
everend Richard Sewall, the reverend Alexander Williamſon, James Harris, Eſquire, colo-
ard Scott, Mr. Simon Wilmer, Mr. Gideon Pearce, Mr. Lambert Wilmer; For Anne-
county, the reverend Mr. Joſeph Colebatch, colonel Samuel Young, William Lock, Eſquire,
Daniel Mariartee, Mr. Charles Hammond, Mr. Richard Warfield, and John Beale, Eſquire;
ert county, the reverend Mr. Jonathan Cay, John Rouſby, Eſquire, colonel John Mackall,
ohn Smith, Mr. James Heigh, Mr. Walter Smith, of Leonard's creek, Mr. Benjamin
Mackall;

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Mackall; For Baltimore county, the reverend Mr. William Tibbs, colonel John Dorſey, M
Iſrael, Mr. William Hamilton, Mr. Thomas Tolley, Mr. John Stokes, and Mr. Thomas St
For Charles county, the reverend Mr. William Maconchie, Mr. Guſtavus Brown, Mr. Geor
captain Joſeph Harriſon, Mr. Robert Hanſon, Mr. Samuel Hanſon, and Mr. Randal Mor
Talbot county, the reverend Mr. Henry Nicholls, colonel Matthew Tilghman Ward, Robert
Eſquire, Mr. Robert Goldſborough, Mr. William Clayton, Mr. John Oldham, and Mr.
Bozman; For Somerſet county, the reverend Mr. Alexander Adams, the reverend Mr. Ja
bertſon, Mr. Joſeph Gray, Mr. Robert Martin, William Stoughton, Eſquire, Mr. Robert K
Mr. Levin Gale; For Dorcheſter county, the reverend Mr. Thomas Howell, colonel Roge
ford, major Henry Ennalls, captain John Rider, captain Henry Hooper, captain John Hu
Mr. Govert Lockerman; For Cæcil county, colonel John Ward, major John Dowdall, colo
jamiin Pearce, Mr. Stephen Knight, Mr. Edward Jackſon, Mr. Richard Thompſon, and Mr.
Johnſon, junior; For Prince-George's county, the honourable Charles Calvert, Eſquire, g
the reverend Mr. Jacob Henderſon, Mr. Robert Tyler, colonel Joſeph Belt, Mr. Thomas
Mr. George Noble, and colonel John Bradford; For Queen-Anne's county, the revere
Chriſtopher Wilkinſon, Philemon Lloyd, Eſquire, Richard Tilghman, Eſquire, Mr. James
ſenior, Mr. William Turbutt, Mr. Auguſtine Thompſon, and Mr. Edward Wright; the which
ſo nominated, appointed, authoriſed and named, for the ſeveral and reſpective counties as a
or the major part of them, in caſe of death or abſence of any, are hereby required, with
venient ſpeed, to meet at ſuch place within their county as to them ſhall ſeem meet, to quali
ſelves for the office of viſitors of their county ſchools, which they are to do by taking the
oaths appointed by act of aſſembly, and ſigning the oath of abjuration, and the teſt, accordi
directions thereof, and alſo taking an oath for the diſcharge of the ſeveral duties and truſts
in them, in the words following, viz. "I, A. B. do ſwear, that I will duly and faithfully d
"the duties and truſts committed to me, as a viſitor of —— county ſchool, according to th
"my ſkill and cunning; So help me God;" The which oaths are to be adminiſtered by an
four perſons laſt named for the county to the perſon firſt named, or in his abſence, to any o
three perſons firſt named that ſhall be preſent, the which perſon being ſworn as aforeſaid,
miniſter the oaths afore-mentioned to all the reſt, and ſo ſucceſſively, the perſons firſt na
ſhall be preſent ſhall always adminiſter the ſaid oaths to any that have been abſent, or t
hereafter be elected and choſen, purſuant to the direction of this act, to ſupply the place of
ſhall be dead, or removed out of the county; and the aforeſaid perſons, or the major part
being ſworn as aforeſaid, ſhall be conſtituted and qualified as viſitors of the ſchool of th
county, and as ſuch, are hereby inveſted with full power and authority, as a body politic,
and be impleaded, to ſue and be ſued, to defend and be defended, to anſwer and be anſwere
and every cauſe, complaint and action, real, perſonal or mixt, of whatſoever kind or nature
be, in any of the courts and places of judicature within this province, and that they, or any
or any other perſon or perſons whatſoever, either before or after ſuch ſchool ſhall be erected,
and eſtabliſhed, in any county as aforeſaid, have full power to give and grant, aſſign and b
all or any manors, lands, tenements, rents, ſervices, portions, annuities, penſions, inhe
franchiſes and poſſeſſions whatſoever, ſpiritual or temporal, to the value of one hundred
ſterling *per annum*, (beſides all burthens, repriſals and reparations,) to them the ſaid viſitors
major part or ſurvivors of them incorporate, for ſuch county ſchool, to them and their ſucce
ever.

To have perpetual ſucceſſion, &c.

IV. AND, further, That the ſaid perſons ſo incorporate, the longeſt livers and ſucceſſors o
ſhall be the true, ſole and undoubted viſitors of ſuch ſchools in perpetual ſucceſſion for ev
continued in the way and manner hereafter ſpecified, with full and abſolute power, liberty
thority, in making and ordaining ſuch laws, orders and rules, for the good government of
ſchools, as to them the ſaid viſitors, and their ſucceſſors, ſhall, from time to time, according
various occaſions and circumſtances, ſeem to them moſt fit and requiſite, all which ſhall be
by the maſter, uſher, tutor and ſcholars of the ſaid ſchool, upon the penalties therein contai

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V. PROVIDED ALWAYS, That the ſaid rules, laws and orders, be no wiſe contrary to t
prerogative, nor to the laws and ſtatutes of England, and acts of aſſembly of this province,
canons and conſtitutions of the church of England by law eſtabliſhed.

How vacancies are to be filled.

VI. AND, for the perpetuating the ſucceſſion of the afore-mentioned number of ſeven vi
each ſchool as aforeſaid, BE IT ENACTED, *by the authority, advice and conſent aforeſaid*, That
as any one or more of the viſitors of any of the aforeſaid ſchools ſhall die, or remove himſelf
mily out of the province, or into any other county to reſide, that then, and ſo often, the vi

being then ſurviving and remaining within the county, or the major part of them, be and y authoriſed and required to elect, nominate and chooſe, one or more of the principal and t of the inhabitants of the county into the place and room of the ſaid viſitors of ſuch ſchool r removed, and ſo to fill up the full number of viſitors for each ſchool, the which perſons, l and choſen from time to time, are always to be qualified in the ſame manner as is before d. CHAP. XIX.

ND BE IT FURTHER ENACTED, That the viſitors (for the time being) of each ſchool, being as aforeſaid, be and are hereby authoriſed and directed, with all convenient ſpeed, to pur- hundred acres or more of land, for the uſe of ſuch ſchool, having a ſpecial regard as to its ncy, that it be as near as poſſible in ſuch place in the county as is before directed for the of ſchools by this act, the which land, when ſo purchaſed, the viſitors are to aſſign ſuch part hey ſhall ſee meet, not to exceed one moiety thereof, to be built upon, and cleared, (if not ilt on and cleared,) for the conveniency of making corn and grain, and for paſturage, for ragement, uſe and benefit of the maſter of ſuch ſchool for the time being, the other moiety is to be preſerved in woodland ground, and no other uſe made thereof by ſuch maſter, with- icence and direction of the ſaid viſitors, than what may be abſolutely neceſſary for firewood, epairing of the houſes and fencing already built and made, or to be built and made, on ſuch iety thereof, and that no maſter be permitted, either by himſelf or by any other perſon, on ence whatſoever, to plant any tobacco on ſuch land or plantation; and the viſitors of the chools as aforeſaid, are further empowered and directed, in caſe that there ſhall not be ſuf- ilding upon any ſuch land at the time of making a purchaſe thereof for a dwelling-houſe, and conveniencies for the maſter, and for keeping a ſchool therein, and ground cleared ſufficient uſe aforeſaid, that then they ſhall, with all poſſible ſpeed, agree with ſuch workmen and , or other perſon, in the beſt manner they can, that will undertake the neceſſary buildings ovements upon ſuch lands for the uſes afore-mentioned; and the viſitors aforeſaid are like- by directed to take all proper methods for the encouraging good ſchoolmaſters, that ſhall be of the church of England, and of pious and exemplary lives and converſations, and capable ng well the grammar, good writing, and the mathematicks, if ſuch can conveniently be got, they allow every ſuch maſter for his encouragement for the preſent (beſides the benefit and s plantation,) the ſum of twenty pounds *per annum*, and to take ſuch other meaſures, or make r agreements, from time to time, for the future, as the circumſtances will admit of, as may encouragement to one or more maſters, and be neceſſary and uſeful for the improving and ting ſuch ſchool. Land to be purchaſed, &c.

AND, further, The viſitors of every ſchool, after it ſhall be erected, are hereby required thereat at leaſt four times a year, to inſpect into and conſider of and direct the neceſſary hereof. Viſitors to meet, &c.

ND, for the enabling the viſitors of the ſchools as aforeſaid for the purchaſing of lands, and of ſchools, and encouraging of maſters in manner as aforeſaid, BE IT ENACTED, That the lready raiſed for the uſe of county ſchools, and that is now in the public treaſurer's hands, vided into (a) twelve equal parts, anſwering to the number of county ſchools now to be the treaſurers, in whoſe hands ſuch money lies, are hereby required to make due payment of hoſe twelve parts or dividends of money in their hands to the viſitors of the ſchools for each or the major part of them, or their orders, whenſoever they ſhall have occaſion to draw on aſurers for the ſame, and the like payment ſhall, from time to time, be made to the viſitors ſaid, by the treaſurers, of the like dividends that ſhall hereafter ariſe due to ſuch ſchools, e to their hands; and the viſitors of the ſchools as aforeſaid, are hereby empowered to diſ- ll ſuch money as they ſhall receive from time to time, in ſuch manner as may be moſt for the gement and advancement of ſuch ſchools. Schools to have an equal ſhare, &c.

(a) 1746, ch. 7, a ſchool was erected in Worceſter county, and the whole directed to be divided into 13 parts, of which erected ſchool to have one part.

ND BE IT LIKEWISE ENACTED, That the viſitors of each ſchool, to be conſtituted, qualified orporated in manner aforeſaid, or the major part of them, and their ſucceſſors, be and are nabled to take, hold and enjoy, and be apt and capable in law for taking, holding and enjoy- manors, lands, tenements, inheritances, franchiſes and poſſeſſions whatſoever, ſpiritual or , to the value of fifteen hundred pounds ſterling, and all other goods, chattels, money and eſtate whatſoever, of the gift of any perſon whatſoever, that already hath, or hereafter ſhall ng to beſtow them for the uſe of the ſaid ſchools, or any other gifts, grants, aſſignments, le- r appointments of the ſame, or any of them, or any other goods whatſoever, to be applied Viſitors to hold lands, &c.

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by the viſitors for the uſes and in manner as afore-mentioned; and the ſaid viſitors are likew by authoriſed to receive all and every ſuch fines and forfeitures as have already ariſen due, ſhall hereafter ariſe due, to their ſeveral county ſchools, in whoſe hands ſoever the ſame are or hereafter ſhall be lodged, and upon refuſal or delay of payment thereof, that then they their diſcretion, exerciſe the powers and authorities, (given them as a body politic by this the recovery of the ſame, the which fines and forfeitures are likewiſe to be applied to the uſe manner aforeſaid.

Proviſo.

XI. PROVIDED ALWAYS, That the viſitors to be appointed for every ſchool as aforeſaid, ſucceſſors, from time to time, are hereby empowered to appoint a regiſter, and allow him a ble ſalary, who is hereby obliged to keep a fair account of all their proceedings, and of the tions by them to be made of all monies, tobaccoes, or other commodities, or matters o whatſoever, that ſhall come to their hands by virtue of the authorities given them by this act ſhall at all times hereafter be ſubject to the examination and correction of the general aſſe this province.

Penalty for refuſing to act.

XII. AND BE IT FURTHER ENACTED, That every perſon by this act appointed as a viſito county ſchools, or that ſhall hereafter be nominated and appointed as ſuch, purſuant to the d hereof, that ſhall wilfully refuſe or delay to take upon him the ſaid office, ſhall forfeit and every ſuch refuſal or delay, the ſum of five hundred pounds of tobacco, for the uſe of the that county where ſuch offence ſhall be committed, to be recovered in his lordſhip's name, o viſitors ſuit, before the juſtices of that county court, by bill, plaint or information, wh eſſoin, protection or wager of law ſhall be allowed.

CHAP. XX.

Paſſed 26th of October, 1723.

An ACT for the relief of Anne-Arundel county, and all perſons concerned in the records heretofore burnt. Lib. LL. No. 4. fol. 606.

N. B. The act of 1705, ch. 1, having been for ſome time expired, ſeveral perſons by means of infancy, coverture, a had not got their deeds recorded again, according to the directions of that act, during its continuance; this act emp juſtices of Anne-Arundel court to act and proceed in all matters therein mentioned, as if commiſſion for that purpo to them, according to the ſaid act, &c.

CHAP. XXI.

An ACT giving encouragement to make hemp within this province. Lib. LL. No. 4. fol. 6

To continue in force three years, &c. Expired.

CHAP. XXII.

An ACT for the relief of Thomas Turner, of Charles county, gentleman, Chriſtopher Thomas Cobb, John Gold, Thomas Beezley and John Ferrel, of Anne-Arundel coun Beldom and John Hanley, of Calvert county, Joſeph Gough, of Queen-Anne's county, Clements, of Dorcheſter county, languiſhing priſoners. Lib. LL. No. 4. fol. 608. A Priv

CHAP. XXIII.

An ACT for the trial of all matters of fact in the ſeveral counties where they have ariſen, ariſe, the continuance of cauſes in the provincial court, and adjournment of that court. L No. 4. fol. 612.

To continue three years, &c. Continued 1727, ch. 6, and, together with its ſupplementary act of 1724, ch. 17, expire

CHAP. XXIV.

An ACT reviving and continuing an act, entitled, (a) An act for limitation of officers fees, ſupplying ſome defects therein. Lib. LL. No. 4. fol. 614.

(a) 1719, ch. 18, hereby continued till the 25th December, 1724. This act was continued by 1724, ch. 21, ſection 25th December, 1725, when it totally expired.

CHAP. XXV.

An ACT for the payment and aſſeſſment of the public charge of this province for this preſe one thouſand ſeven hundred and twenty-three, and for confirming the journal of the leve year one thouſand ſeven hundred and twenty-two. Lib. LL. No. 4. fol. 615.

CHAP. XXVI.

An ACT for the veſting and ſettling an eſtate of inheritance in fee-ſimple of and in a certai or lot of ground in the city of Annapolis, containing one hundred and twenty-feet in

ly by an * act of aſſembly of this province confirmed to Robert Johnſon, of Anne-Arundel ſhip-carpenter, deceaſed,) on Robert Gordon, of the city of Annapolis, merchant, as veſting and ſettling an eſtate of inheritance in fee-ſimple of and in a certain ſand bank that ts a tenement of land poſſeſſed by the ſaid Robert Gordon, and the creek, on the ſaid Ro- rdon, and his heirs and aſſigns for ever. Lib. LL. No. 4. fol. 616. A Private Act. * 1719, ch. 5.

SESSION of ASSEMBLY begun and held at the City of 1724.
NAPOLIS, on Tueſday the 6th day of October, and ended 4th day of November, in the 10th year of the dominion of the t honourable Charles, abſolute Lord and Proprietary of the vinces of Maryland and Avalon, Lord Baron of Baltimore, &c. oque *domini* 1724, were enacted the following laws, viz.

CHARLES CALVERT, Esquire, Governor.

CHAP. I.

T to prohibit (a) the exportation of Indian corn for the time therein limitted, and to ſuſ- (b) the execution of an act, entitled, An act prohibiting the importation of bread, beer, malt, wheat, or other Indian or Engliſh grain or meal, horſes, mares, colts or fillies, from lvania, and the territories thereunto belonging. Lib. L. No. 5. fol. 1. Paſſed 29th of October, 1724.

Till the laſt of October, 1725. Expired.

Viz. of 1715, ch. 18, hereby ſuſpended till the laſt of June, 1725.

CHAP. II.

T for the relief of ſuch perſons as have been convicted of any breach of the acts of aſſembly eventing the making of traſhy tobacco, and for the bettering the ſtaple of this province, and planatory act thereof, unheard, or have ſuffered by the miſconſtruction of the ſaid laws. . No. 5. fol. 3.

CHAP. III.

T to cut off the entail of a certain tract of land called Billingſley's Point, and to enable John n to make ſale of the ſame. Lib. L. No. 5. fol. 4. A Private Act.

CHAP. IV.

T inveſting an eſtate of inheritance, in fee-ſimple, of a tract of land called Little Bohemia, hemia Middle Neck, in Ephraim Auguſtine Herman, of Cæcil county, gentleman, and his for ever, and to cut off the entail thereof, and to make good and valid any ſale thereof to be by the ſaid Herman, or his heirs aforeſaid. Lib. L. No. 5. fol. 6. A Private Act.

CHAP. V.

T declaring what eſtate Gabriel Parker, and Anne his wife, John Abbington, and Mary his William Hutcheſon, and William Pile, and Elizabeth his wife, have in the lands ſeverally de- to them by William Hutcheſon, gentleman, deceaſed. Lib. L. No. 5. fol. 8. A Private Act.

CHAP. VI.

ementary act to the act, entitled, * An act for the relief of debtors, and aſcertaining the er of tenders in tobacco. Lib. L. No. 5. fol. 10. * 1713, ch. 3.

N. B. The uſe of this act is at preſent ſuſpended by the inſpection law of 1763, ch 18.

CHAP. VII.

T to confirm unto William Anderſon, of Anne-Arundel county, planter, a certain tract of herein after mentioned. Lib. L. No. 5. fol. 11. A Private Act.

CHAP. VIII.

Paſſed 4th of Nov. 1724.

An ACT for the naturalization of John Swineyard, of Baltimore county, planter. Lib. L. fol. 11. A Private Act.

CHAP. IX.

An ACT for confirming a certain deed of ſettlement made by Robert Proctor of certain la tenements therein mentioned to his then wife Rachel, now called Rachel Freeborn, and t the ſaid Rachel with other lands, in purſuance of one deed of gift ſettlement. Lib. L. fol. 12. A Private Act.

CHAP. X.

* 1715, ch. 36.

An ACT repealing part of an act, entitled, * An act laying an impoſition on negroes, and ſorts of liquors imported, and alſo on Iriſh ſervants, to prevent the importing too great a of Iriſh papiſts into this province. Lib. L. No. 5. fol. 15.

CHAP. XI.

An ACT for ſecuring the rights and inheritances of ſundry the inhabitants within this p againſt certain impoſitions, by pretence of ſuſpected deeds. Lib. L. No. 5. fol. 15. A Act.

CHAP. XII.

An ACT for the relief of ſundry languiſhing priſoners therein mentioned. Lib. L. No. 5. A Private Act.

CHAP. XIII.

An ACT to enable John Cheney, and Mary his wife, to ſell in fee-ſimple three hundred acre of a tract of land called Waterford, notwithſtanding the ſame is ſpecially entailed on the b the body of the ſaid Mary, by Benjamin Williams, of Anne-Arundel county. Lib. L. fol. 22. A Private Act.

CHAP. XIV.

* 1704, ch. 21.

A Supplementary act to the act, entitled, * An act for the mak of highways, and making the heads of rivers, creeks, branches ſwamps, paſſable for horſe and foot. Lib. L. No. 5. fol. 2

Preamble.

WHEREAS it is repreſented to this preſent general aſſembly, that the ſeveral bridges th been heretofore made over the heads of rivers, creeks, branches, ſwamps, and other l miry places, are very much broken and out of repair, and ſeveral new bridges are ſtill wanti that it is the general complaint of the overſeers of the highways, that they are rendered incap repairing the old, or making new ones, being forewarned by the owners of the adjacent land cutting any trees neceſſary for ſuch repairing or making of bridges;

Overſeers to cut down trees, &c.

II. BE IT THEREFORE ENACTED, *by the right honourable the Lord Proprietary, by and with the and conſent of his lordſhip's Governor, and the Upper and Lower Houſes of Aſſembly, and the authority ſame*, That from and after the end of this preſent ſeſſion of aſſembly, it ſhall and may be law the ſeveral and reſpective overſeers of the highways within this province, and they are here powered, as often as need ſhall require, for repairing and making of bridges over the heads of creeks, branches, ſwamps, or other low and miry places, to cut down, or cauſe to be cut dow tree or trees growing on any of the next adjacent lands to ſuch bridges neceſſary to be made paired, and the ſame trees to maul, or cauſe to be mauled, and carried from off ſuch adjacent and applied to the making and neceſſary repairs of ſuch bridges as aforeſaid.

By an additional ſupplementary act to the original act, paſſed 1795, ch. 37, the owners of ſuch trees ſhall have comp from the county, to be aſcertained by the oath of the overſeers, &c. who are directed, under a penalty, to make return and by the ſame act, the overſeers are directed to remove all trees, gravel, &c. that may lodge near a bridge, ſo as to ob water.

Proviſo.

III. PROVIDED ALWAYS, That the trees allowed to be cut down, in manner and for the uſe ſaid, be not ſuch as are fit to make clapboards, or cooper's timber, nor for the building or re any bridges that are built or maintained at a public or county charge.

For the counties to which this act extends, ſee the note under the act of 1704, ch. 21.

CHAP. XV.

An ACT for the relief of the deviſees of James Philips, the elder, and Anthony Philips, Baltimore county, deceaſed. Lib. L. No. 5. fol. 23. A Private Act. Repealed 1732, ch.

CH

C H A P. XVI.

for erecting a town at Joppa, in Baltimore county, and for securing the land whereon the ouſe and priſons are built to the uſe of the ſaid county. Lib. L. No. 5. fol. 24. Paſſed 4th of Nov. 1724.

A public court-houſe and priſon having been erected at Joppa, at the county expence, and the right of the land being in who could not convey, although his father, colonel James Maxwell, had received full ſatisfaction for the ſame, it is enacted, 1. That the land already allotted for the court-houſe and priſons, (not leſs than two acres,) and whereon they ſhall be to the uſe of the county for ever. 2. Certain commiſſioners empowered to purchaſe, by agreement or valuation twenty acres of land at Joppa, and cauſe the ſame to be ſurveyed and laid out into forty lots, to be erected into a as the public buildings may be included therein, and the lots ſo laid out as not to affect the improvements of colonel axwell and his ſon, already made there, with convenient ſtreets, &c. and the lots to be numbered from one to forty. wner of the land to have his firſt choice of two lots, and then the remaining lots to be taken up by others, ſo that no e up more than one lot during the firſt four months, but if not taken all up by inhabitants of the county within that n any other perſons to have liberty of taking up the ſame, paying the owner proportionably. 4. Takers up of lots not hereon within twelve months a houſe to cover four hundred ſquare feet, and no houſe to have any chimney unleſs of tone, it ſhall then be lawful for any other perſon to enter upon the lot ſo not built upon, paying the ſum firſt ſet thereon mmiſſioners, or perſons by them appointed to receive the ſame, to the benefit of the town, to be called Joppa; and ſuch ker up building and finiſhing (within one year after ſuch his entry,) ſuch houſe as before limitted and appointed, ſhall ood eſtate therein as the firſt taker up, &c. 5. Lots not taken up during ſeven years after publication of this act ſhall he owner of the land. 6. Debtors bringing their tobaccoes to the ſaid town, and paying the ſame to their creditors, or ivers, ſhall be allowed thereout ten *per cent.* to be deducted out of the debt, or allowed of in bar or diſcount, of any be brought againſt ſuch debtors by any creditors in any court within this province.

upplementary act, 1737, ch. 11.

C H A P. XVII.

mentary act to the act, entitled, (a) An act for the trial of all facts in the counties where ave ariſen and ſhall ariſe, the continuance of cauſes in the provincial court, and adjourn- f that court. Lib. L. No. 5. fol. 26.

) 1723, ch. 3, which, together with this act, was farther continued by 1727, ch. 6, and both expired in 1731.

C H A P. XVIII.

for explaining a paragraph of the * ſupplementary act to the act, entitled, An act direct- manner of electing and ſummoning delegates. Lib. L. No. 5. fol. 28. * 1718, ch. 1.

C H A P. XIX.

relieving the inhabitants of this province from ſome difficulties they may lie under in pay- ir levies, and other juſt tobacco debts this year. Lib. L. No. 5. fol. 29. Expired.

C H A P. XX.

for the relief of Thomas Dent, of Charles county, gentleman. Lib. L. No. 5. fol. 34. vate Act.

C H A P. XXI.

CT reviving and continuing the * act for limitation of officers , and for ſupplying ſome defects therein, and for amendment reof in ſome particulars, and reſtraining ſome ill practices of iffs. Lib. L. No. 5. fol. 37. * 1723, ch. 24.

ENACTED, *by the right honourable the Lord Proprietor, by and with the advice and conſent of his hip's Governor, and the Upper and Lower Houſes of Aſſembly, and the authority of the ſame,* That aſſembly, made at a ſeſſion of aſſembly begun and held at the city of Annapolis the twenty- of September, *anno domini* ſeventeen hundred and twenty-three, entitled, An act reviving inuing an act, entitled, An act for limitation of officers fees, and ſupplying ſome defects be and is hereby revived and continued, to be and remain in force from and after the ifth day of September next, for and until the twenty-fifth day of December, which ſhall be ar of our Lord ſeventeen hundred and twenty-five, and no longer. Acts revived, &c.

ND, for that ſeveral complaints have been made to this aſſembly, that ſeveral ſheriffs, merely ſe fees to themſelves, have executed ſeveral perſons for public and county levies and officers l charged execution fees thereon, when they might have received their dues without ſuch n, although they have and are allowed a large commiſſion for collecting the ſame; and for power of execution ought not to be uſed in oppreſſion of the people, but only to enable the o get in and collect the public dues and officers fees with the greater facility; and for that whoſe goods are taken in execution for officers fees, are not expreſsly provided for by the ſtrain the ill practice uſed by ſheriffs in taking goods by *fieri facias*, and ſelling them by *ven- onas*, although within the reaſon and intent thereof, which omiſſion gives the ſheriffs fre- pportunities of oppreſſing many of the poorer ſort of people; for prevention of which in- ncy and evils, BE IT ENACTED AND DECLARED, That no ſheriff ſhall be allowed any fee or reward No fee allowed, &c.

CHAP. XXI.

reward for executing for any public or county levies, or any other public dues or officers fees if the ſheriff ſhall tranſgreſs this act, he ſhall be liable to the ſame pains, penalties and forfeitures that officers are liable to by the laws in force for taking more fees than are allowed, any cuſtom to the contrary notwithſtanding.

How to proceed.

III. AND BE IT FURTHER ENACTED AND DECLARED, That where any ſheriff ſhall take any in execution for officers fees, ſuch ſheriff ſhall proceed in the ſame manner as the act, entitled act to reſtrain the ill practice uſed by ſheriffs in taking goods by *fieri facias*, and ſelling them *ditioni exponas*, directs, in caſe of goods taken by virtue of a *fieri facias*, any law, uſage or cu the contrary notwithſtanding.

Debts to be diſcounted, &c.

IV. AND, for that ſeveral perſons having tobacco in the ſheriffs hands, and drawing notes ſame, ſundry ſheriffs frequently refuſe to pay or diſcount the contents of ſuch notes, without lowance of ten *per cent.* or ſome other allowance, as a reward for paying or diſcounting the juſt debts, to the great prejudice of the public credit, and of ſeveral private perſons; BE IT FORE ENACTED, That the ſeveral ſheriffs within this province ſhall be obliged to diſcount any due from them, or any of them, to any of the inhabitants of this province, out of any p county levies, public dues or officers fees, and to allow and diſcount the contents of any n ſhall be drawn payable or endorſed to any perſon being indebted to the ſheriffs on any of the a already mentioned, ſo far as they ſhall owe the drawer of ſuch note, without any deductio lowance for ſuch diſcount, on pain of forfeiting two thouſand pounds of tobacco for every one half thereof to the lord proprietary, for the uſe of public ſchools where the offence committed, the other half to the party grieved, or other perſon that will ſue for the ſame, t covered by action of debt, bill, plaint or information, wherein no eſſoin, protection or wager ſhall be allowed.

Proviſo.

V. PROVIDED ALWAYS, That the ſheriff ſhall not be obliged to diſcount a parcel ſo as to l entire hogſhead, except where the parcel ſhall be due immediately from the ſheriff to the any thing in this act to the contrary notwithſtanding.

CHAP. XXII.

Paſſed 4th of Nov. 1724.

A Supplementary act to the * act for encouraging the making hemp and flax within this pr Lib. L. No. 5. fol. 39.

* 1706, ch. 11.

CHAP. XXIII.

An ACT for the payment and aſſeſſment of the public charge of this province for this preſe one thouſand ſeven hundred and twenty-four. Lib. L. No. 5. fol. 40.

1725. At a SESSION of ASSEMBLY, begun and held at the Cr ANNAPOLIS, in the county of Anne-Arundel, for the pro of Maryland, on Tueſday the 5th day of October, and c Saturday the 6th day of November, in the 11th year of th minion of the right honourable CHARLES, abſolute Lord and prietary of the Provinces of Maryland and Avalon, Lord Bar Baltimore, &c. *annoque domini* 1725, were enacted the fo ing laws.

CHARLES CALVERT, ESQUIRE, GOVERNOR.

CHAP. I.

Paſſed 6th of Nov. 1725.

An ACT for aſcertaining the form of the oath of judge or juſtice. Lib. L. No. 5. fol. 41.

CHAP. II.

for deſtroying ſquirrels and crows. Lib. L. No. 5. fol. 42. Paſſed 6th of Nov. 1725.

To be in force three years, &c. Expired.

CHAP. III.

for relieving the inhabitants of this province from ſundry aggrievances they lie under, oc- d by the ſcarcity of tobacco within this province in the year one thouſand ſeven hundred enty-four. Lib. L. No. 5. fol. 44.

CHAP. IV.

declaring female mulattoes born of white women, and free negro women, to be taxables. . No. 5. fol. 45.

CHAP. V.

reviving and continuing an act of aſſembly of this province, entitled, (a) An act for the relief of poor debtors. Lib. L. No. 5. fol. 46.

(a) 1722, ch. 13, hereby continued three years, &c.

CHAP. VI.

CT to prevent ſeveral irregularities complained of by the people ed Quakers. Lib. L. No. 5. fol. 47.

Supplementary, &c. acts, 1747, ch. 17, and 1752, ch. 14.

EREAS it is humbly repreſented to this preſent general aſſembly, by the people called Quakers, that ſundry perſons ſet up booths, and ſell drink and other things, near their yearly houſes within this province, whereby thoſe places, which were by them intended and uſed as ſolemn worſhip, are converted into places of traffic, debauchery and immorality, to their at diſturbance in the exerciſe of their religion, and the worſhip of God; and foraſmuch as ral methods heretofore uſed for the ſuppreſſion of ſuch irregularities have proved altogether l, it is humbly prayed that it may be enacted, Preamble.

ND BE IT ENACTED, *by the right honourable the Lord Proprietor, by and with the advice and conſent dſhip's Governor, and the Upper and Lower Houſes of Aſſembly, and the authority of the ſame*, That er, from and after the publication hereof, ſhall preſume either to ſet up a booth, or ſell or f any liquor, or other matter or thing whatſoever, either by land or water, within one mile early meeting-houſe (of the ſaid people called Quakers,) in Talbot county, or within two their yearly meeting-houſe near Weſt river, in Anne-Arundel county, during the time of rly meetings, ſhall for every ſuch offence forfeit and pay unto the right honourable the lord ry, his heirs and ſucceſſors, the ſum of ten pounds current money of Maryland, one half o be applied to the uſe of the public ſchool of the county where ſuch offence ſhall be com- he other half to him or them that ſhall ſue for the ſame, to be recovered by action of debt, nt or information, wherein no eſſoin, protection or wager of law to be allowed. Penalty for ſetting up booths, &c.

, ch. 14, no liquors ſhall be ſold at ſuch times within 3 miles of the ſaid meeting-houſes, on penalty of £. 5 currency.

ND BE IT FURTHER ENACTED, *by the authority, advice and conſent aforeſaid*, That upon com- ade to any juſtice of the peace for the county where ſuch offence ſhall be committed, the e is hereby required immediately to iſſue his warrant to cauſe the ſaid offender to be brought im, and upon proof made to him of the premiſes, by the oath (or affirmation if a quaker,) edible witneſs, or confeſſion of the party, to commit the ſaid offender to priſon until he ſhall uch booth, liquor, or other things, from without the bounds aforeſaid, and give ſufficient to anſwer for the ſaid offence at the next court to be held for the county where it ſhall be d. Duty of a magiſtrate, &c.

ROVIDED ALWAYS, That this act ſhall not be conſtrued to hinder any ordinary-keeper from quors in their reſpective dwelling-houſes. Proviſo.

See 1752, ch. 14, ſection 3.

CHAP. VII.

to confirm an eſtate in fee-ſimple to ſuch perſons as already have, or hereafter ſhall pur- any the lands lying in the new town, commonly called the addition to the city of Annapolis, land adjoining to the ſaid city of Annapolis, commonly called the town paſture or common, and

and to inveſt them with the ſame privileges within the city of Annapolis, as other the free therein now have, or hereafter may enjoy. Lib. L. No. 5. fol. 48.

By this act, 1. Lots or parcels of ground already purchaſed, or hereafter to be purchaſed from the reſpective proprie in the addition to the city of Annapolis, or the town paſture, ſhall be carefully ſurveyed, numbered in the uſual m returned into the mayor's court office. 2. Such purchaſers, their heirs and aſſigns, ſhall hold an abſolute eſtate in fe ſuch lots, and by virtue of ſuch purchaſe, and building a dwelling-houſe with 400 foot of flooring, beſides garrets or for every quarter of an acre ſo improved, enjoy all the privileges of freeholders, or inhabitants of the ſaid city. 3. owners may ſell unto any purchaſers, to hold of them under the like rents, &c. as the ſaid owners hold the ſame und ſhip, as in caſes of lord meſne and tenant in England, in caſe they make their deeds accordingly. 4. Provided that ſtreets and alleys be duly regarded. 5. A ſaving of rights to his lordſhip, all bodies politic and corporate, and all herein mentioned.

CHAP. VIII.

Paſſed 6th of Nov. 1725.

An ACT declaring probats of deeds, or other matters, and acknowledgments of deeds taken before two magiſtrates of the city Annapolis, to be good and valid in law. Lib. L. No. 5. fol.

Certain probats good, &c.

BE IT ENACTED, *by the right honourable the Lord Proprietor, by and with the advice and conſent lordſhip's Governor, and the Upper and Lower Houſes of Aſſembly, and the authority of the ſame* all probats of any deeds, or other matters, made either in the mayor's court, or before two magiſtrates of the city of Annapolis, and all deeds of lands lying within the precincts of the Annapolis, acknowledged either in the mayor's court, or before two ſuch magiſtrates as ſhall be, and are by this act declared, as good and available in law in all reſpects, as if made knowledged in the ſame manner before any one juſtice of the provincial court, or two juſtices county court, any law, ſtatute, uſage or cuſtom to the contrary notwithſtanding.

CHAP. IX.

An ACT to inveſt the veſtry of Great Choptank pariſh, in Dorcheſter county, with an eſtate ſimple to the (a) lands therein mentioned. Lib. L. No. 5. fol. 50.

(a) Viz. Two acres of land, parcel of fifteen acres laid out for public uſes at the town of Vienna, in the ſaid coun on the chapel is built. See 1730, ch. 2, by which the bounds of the ſaid two acres are eſtabliſhed.

CHAP. X.

An ACT for dividing Great Choptank pariſh, in Dorcheſter county, and for erecting a parish the ſame, called by the name of St. Mary White Chapel pariſh. Lib. L. No. 5. fol. 51.

1. From and after the 10th December, 1725, all that part of Great Choptank pariſh, beginning at the mouth of Cab on the ſouth ſide of Great Choptank river, and running up the ſaid creek, bounded therewith, to the mill, and from th ning acroſs to the north-weſt fork of Nanticoke, as the line runs which divides Great Choptank hundred from Nan dred, and ſo binding all round with the ſaid Great Choptank hundred to the mouth of the ſaid Cabbin creek, is by this rated, conſtituted, erected and made into a pariſh, by the name of St. Mary White Chapel pariſh, divided as afore Great Choptank pariſh, and to be adjudged, deemed and taken, as a ſeparate and diſtinct pariſh. 2. The freeholders empowered to elect veſtrymen, and found a church, and enjoy all privileges and advantages whatſoever, that are held ed by any other pariſh within this province.

CHAP. XI.

An ACT for the removing the court-houſe from Battle creek, in Calvert county, and for building court-houſe for the ſaid county on or near that place in the ſaid county, commonly called known by the name of William's Old Field, and for making ſale of the old court-houſe and Lib. L. No. 5. fol. 52.

By this act, 1. The juſtices of Calvert county were empowered to make choice of, and purchaſe, (by agreement, or of a jury,) three acres of land on or near the place aforeſaid, whereon to build a court-houſe. 2. The ſaid juſtices to ſaid three acres to be laid out by the county ſurveyor, and a certificate thereof to be returned and recorded in the court &c. 3. Calvert county court to be held in ſuch new court-houſe when built, and not elſewhere. 4. All the records, b papers, &c. to the ſaid county belonging, to be removed from the old to the new court-houſe, and a liſt thereof to be the county clerk, and recorded amongſt their proceedings. 5. The ſaid juſtices empowered to make ſale of the old and priſon, with the lands thereunto belonging, and convey the ſame in fee-ſimple, &c.

CHAP. XII.

An ACT to encourage the takers up of runaway ſlaves, that ſhall be taken up by any perſ brought in from the back woods. Lib. L. No. 5. fol. 55.

CHAP. XIII.

An ACT for the relief and releaſe of poor diſtreſſed priſoners for debt. Lib. L. No. 5. Repealed 1726, ch. 5.

CHAP. XIV.

An ACT to reſtrain the ill practices of attornies, and to prevent their taking money fees, and taining what fees ſhall be allowed to practitioners in the law who ſhall attend the circuit Lib. L. No. 5. fol. 64.

This act was paſſed for three years, but was repealed in March ſeſſion this year, ch. 22, by a new law.

CHAP. XV.

for the payment and assessment of the public charge of this province for this present year, usand seven hundred and twenty-five. Lib. L. No. 5. fol. 69. Passed 6th of Nov. 1725.

CHAP. XVI.

for the naturalization of Michael Ury, of Prince-George's county, a Greek. Lib. L. fol. 71. A Private Act.

CHAP. XVII.

to enable Orlando Griffith and Catharine his wife, to sell the moiety or half part of a cer- ct of land hereafter mentioned, and for entailing other land in lieu thereof. Lib. L. No. 5. A Private Act.

CHAP. XVIII.

to enable John Speake, junior, of Charles county, to confirm a tract of entailed land, Prince-George's county, called Plymouth, unto the purchasers thereof, and to entail cer- nds in Charles county in lieu thereof. Lib. L. No. 5. fol. 75. A Private Act.

CHAP. XIX.

mentary act to an * act empowering certain trustees to sell a tract of land in Talbot coun- ed Frankford St. Michael, late the estate of inheritance of William Harris, late of Calvert , and with the money thereby arising to purchase other lands for the use of Joseph Harris njamin Harris, sons of the said William Harris, and the heirs of their bodies, according to ctions of the last will and testament of the said William Harris. Lib. L. No. 5. fol. 78. ate Act. * 1708, ch. 11.

CHAP. XX.

for the relief of James Moor, of Baltimore county. Lib. L. No. 5. fol. 81. A Private

CHAP. XXI.

to repeal an act, entitled, * An act for confirming and making valid the last will and tes- of colonel John Contee. Lib. L. No. 5. fol. 83. A Private Act. * 1708, ch. 13.

ESSION of ASSEMBLY begun and held at the CITY of AN- POLIS, in the county of Anne-Arundel, for the Province Maryland, on the 15th, and ended the 23d day of March, he 11th year of the dominion of the right honourable CHARLES, lute Lord and Proprietary of the provinces of Maryland and lon, Lord Baron of Baltimore, &c. *annoque domini* 1725, were ted the following laws, viz.

CHARLES CALVERT, ESQUIRE, GOVERNOR.

CHAP. XXII.

to restrain the ill practices of attornies, and to prevent their taking money fees, and ascer- what fees shall be allowed to practitioners in the law who shall attend the circuit courts. No. 5. fol. 86. Passed 23d of March, 1725.

To continue in force three years, &c. Expired.

CHAP. XXIII.

for limitation of officers fees. Lib. L. No. 5. fol. 98.

To be in force three years, &c. Expired.

CHAP. XXIV.

Paſſed 23d of March, 1725. An ACT to revive, continue, and make good and valid in law, all proceſs and proceedings in the county courts within this province, from the firſt day of the county courts, held, or holden, in this month of March, one thouſand ſeven hundred and twenty-five, until the firſt of the ſeveral county courts that are to be held in the month of June, *anno domini* one thouſand ſeven hundred and twenty-ſix. Lib. L. No. 5. fol. 114.

1726. At a SESSION of ASSEMBLY begun and held at the City of ANNAPOLIS, in the county of Anne-Arundel, for the Province of Maryland, on the 12th, and ended the 25th day of July, in the 12th year of the dominion of the right honourable CHARLES abſolute Lord and Proprietary of the provinces of Maryland and Avalon, Lord Baron of Baltimore, &c. *annoque domini* 1726. were enacted the laws following, viz.

CHARLES CALVERT, ESQUIRE, GOVERNOR.

CHAP. I.

Paſſed 25th of July, 1726. An ACT for uniting part of Baltimore county to Anne-Arundel county. Lib. L. No. 5. fol.

N. B. By this act, 1. From and after the laſt day of May, 1727, the land lying on the ſouth ſide of Patapſco river, contained within the bounds following, viz. From the mouth of the ſaid Patapſco river, with the ſaid river to the head, and from thence, bounding on the ſouth ſide of the main falls, being the ſouthernmoſt great branch of the ſaid river, as far as the ſaid branch runs to the firſt main fork of the ſaid falls, and then bounding on the ſouth ſide of the ſaid ſouthern till a ſouth courſe will interſect the head of Snowden's river, and ſo down the ſaid Snowden's river till it meet with extent of Anne-Arundel county, ſhall be, and for ever hereafter deemed, as part of Anne-Arundel county; and the inhabitants thereon already, or hereafter to be ſeated, are hereby declared to be inhabitants of Anne-Arundel county, and enjoy ſame rights and privileges within the ſame Anne-Arundel county as other inhabitants thereof now or hereafter may That part of the act (of 1698, ch. 13,) for dividing Anne-Arundel county, which relates to the ſouth ſide of Patapſco being added to Baltimore county, is hereby repealed.

CHAP. II.

An ACT to confirm a marriage agreement heretofore made betwixt Randal Revel, ſenior, Katherine his wife, on the behalf of Randal Revel, junior, and Sarah his wife, and to the heirs of the ſaid Sarah with an eſtate of fee-tail general, according to the ſaid agreement. L. No. 5. fol. 121. A Private Act.

CHAP. III.

An ACT for reviving an act, entitled, (a) An act for raiſing a duty of three-pence per hogſhead all tobacco exported out of this province for the uſes therein mentioned. Lib. L. No. 5. fol. 123.

(a) 1720, ch. 1, hereby continued till the 29th September, 1729.

CHAP. IV.

An ACT reviving and continuing the (b) act for aſcertaining the gauge and tare of tobacco heads, &c. Lib. L. No. 5. fol. 124.

(b) 1717, ch. 77, hereby continued till the 29th September, 1729.

CHAP. V.

1725, ch. 13. An ACT repealing an act of aſſembly, entitled, * An act for the relief and releaſe of poor priſoners for debt. Lib. L. No. 5. fol. 125.

CHAP. VI.

An ACT for dividing part of St. John's pariſh, in Prince-George's county, and for erecting thereof into a new pariſh. Lib. L. No. 5. fol. 126.

N. B. By this act, 1. From the 4th Tueſday (viz. 22d) of November next, the three hundreds, viz. Eaſtern Branch, creek, and Patowmack, from the mouth of the Eaſtern Branch to the fork thereof, and ſo up with the north-eaſt

said fork unto the head thereof, thence continuing the courſe of the ſaid branch by a ſtreight line, till it ſtrike Pa-er, ſhall be taken from St. John's pariſh aforeſaid, in Prince-George's county, and erected into a new pariſh, by the Prince-George's pariſh, and thenceforth be deemed, &c. Prince-George's pariſh, and not part or parcel of the ſaid St. riſh, and the boundaries aforeſaid, always to be deemed, &c. the undoubted boundaries to divide the pariſh aforeſaid. nhabitants to enjoy all benefits, powers, &c. equal with the inhabitants of any other pariſh within this province, with mple power to elect veſtrymen and churchwardens, and to build and found a church, &c.

CHAP. VII.

making good and effectual in law a deed of bargain and ſale from Thomas Dent, of Charles , to Thomas Oſborne, of the ſame county, when recorded. Lib. L. No. 5. fol. 129. A e Act. Paſſed 25th of July, 1726.

CHAP. VIII.

in favour of John Galloway and John Giles, to enable them to record a certain deed herein ned, and to confirm the recording thereof. Lib. L. No. 5. fol. 131. A Private Act.

CHAP. IX.

ementary act to the * act for the better adminiſtration of juſtice in teſtamentary affairs, ng adminiſtrations, recovery of legacies, ſecuring filial portions, and diſtribution of inteſtates . Lib. L. No. 5. fol. 134. * 1715, ch. 39.

ct, which relates to appeals from the prerogative court, was virtually repealed by the act to eſtabliſh orphans courts.

CHAP. X.

T reviving and continuing an act, entitled, (a) An act for regulating of ordinaries. Lib. L. . fol. 136.

(a) 1717, ch. 1, hereby continued from the 29th September next until the end of the next ſeſſion of aſſembly.

CHAP. XI.

T for the further encouragement of tillage and huſbandry. Lib. L. No. 5. fol. 137.

To be in force ten years from the 25th March, 1727, to the 25th March, 1737. Expired.

CHAP. XII.

T for the relief of Joſias Sunderland, of Calvert county, from the reverſal of a judgment ed againſt him in his lordſhip's provincial court by Samuel Gover, of Anne-Arundel county, appeal from Calvert county court, the original action being brought as well at the ſuit of the ord proprietary as the ſaid Sunderland, and for the affirming the judgment obtained by his rdſhip and Sunderland againſt the ſaid Samuel Gover, in Calvert county court. Lib. L. . fol. 139. A Private Act.

CHAP. XIII.

T empowering a committee to lay, aſſeſs and apportion the public levy for this preſent year, houſand ſeven hundred and twenty-ſix. Lib. L. No. 5. fol. 140.

SESSION of ASSEMBLY begun and held at the CITY of NNAPOLIS, in the county of Anne-Arundel, for the province Maryland, on the 10th, and ended the 30th day of October, the thirteenth year of the dominion of the right honourable HARLES, abſolute Lord and Proprietary of the provinces of Mary-nd and Avalon, Lord Baron of Baltimore, &c. *annoque domini* 727, were enacted the following laws, viz. 1727.

BENEDICT LEONARD CALVERT, ESQUIRE, GOVERNOR.

CHAP. I.

T for aſcertaining the form of the oath of judge or juſtice. Lib. L. No. 5. fol. 143. Diſſent. Paſſed 30th of October, 1727.

CHAP. II.

Passed 30th of October, 1727.

An ACT directing the payment of fees arising due on the profec of white ſervants which ſhall hereafter be imported into thi vince. Lib. L. No. 5. fol. 145.

Preamble.

FORASMUCH as it is evident to this preſent general aſſembly, that the charges of late a the public, and ſeveral of the counties within this province, on the proſecution of ſ have been a very great burthen to the public: And whereas it is manifeſt that ſeveral felo other offences, have been frequently committed by ſervants, which might have been preve their maſters, by taking care to keep them in due order and ſubjection, and ſometimes ſerva been induced by the encouragement, and ſometimes by the ſeverity of their maſters, to com nies and other crimes, the maſters well knowing that in caſe of proſecution the expence ther have been borne by the public, or the inhabitants of the county or counties where the fa been committed; for remedy of which evils,

Fees to be paid by the maſter, &c.

II. BE IT ENACTED, *by the right honourable the Lord Proprietary, by and with the advice and c his lordſhip's Governor, and the Upper and Lower Houſes of Aſſembly, and the authority of the ſam* from and after the end of this preſent ſeſſion of aſſembly, it ſhall and may be lawful to, and ſeveral and reſpective officers within this province, to whom any fees ſhall ariſe due on any p tion of the lord proprietary againſt any ſervants that ſhall be imported into this province, at a after the end of this ſeſſion, to charge the ſame to, and recover the ſame from, the maſters or of ſuch ſervants, in the ſame manner as if they aroſe due from, and were the proper debts maſters or owners themſelves, as by other laws are provided; and that it ſhall not be lawful officer, or other perſon, to charge the public, or any county, for any fees that ſhall ariſe due proſecution of any ſuch ſervants as aforeſaid, any law, ſtatute, uſage or cuſtom to the con anywiſe notwithſtanding.

Recompence to be made, &c.

III. AND BE IT FURTHER ENACTED, *by the authority, advice and conſent aforeſaid*, That it ſ may be lawful to and for the owners of ſuch ſervants (unleſs the offence whereof he, ſhe or th be convicted, be capital, and that the offender or offenders are actually executed for the ſame) before the time of the expiration of ſuch ſervant's ſervitude, to carry ſuch ſervant to the court held for their county, and on their making it fully appear to the juſtices of ſuch court ho tobacco hath been paid by them for ſuch ſervant, on account of ſuch proſecutions, it ſhall a be lawful for the juſtices of ſuch court, and they are hereby required, to adjudge what time (ceeding three years,) they ſhall think reaſonable, to ſerve the owner in recompence to ſuch ſ as aforeſaid, unleſs ſuch ſervant can make payment thereof in ſome other manner.

Baſtards to be maintained, &c.

IV. AND BE IT ENACTED, *by the authority aforeſaid*, That all maſters and owners of wom vants, having baſtard children, ſhall be obliged to maintain ſuch baſtard children at his or the proper coſt and charge, during the continuance of ſuch ſervant woman in his or their ſervice.

Proviſo.

V. PROVIDED, That it ſhall and may be lawful for the juſtices of the county court whe baſtard child or children ſhall be born, to adjudge the mother or mothers of ſuch baſtard ch children, where the father is unknown, or incapable to make any ſatisfaction, to make her maſter or owners full ſatisfaction and recompence by ſervitude, or otherwiſe, for maintain ſupporting ſuch baſtard child or children, any law, uſage or cuſtom to the contrary notwithſ

Proviſo.

VI. PROVIDED ALWAYS, That where the begetter or begetters of ſuch baſtard child or chi or are reſident or reſidents within this province, of ability to maintain ſuch child or childre lawfully convict of being the begetter or begetters of ſuch child or children, it ſhall and may ful in all ſuch caſes for the ſeveral juſtices of the peace to oblige ſuch father or begetter to and maintain ſuch baſtard child or children as heretofore they might have done, any thing in to the contrary notwithſtanding.

CHAP. III.

An ACT giving encouragement to make hemp within this province. Lib. L. No. 5. fol. 14

To continue in force three years, &c. Expired.

CHAP. IV.

An ACT reviving and continuing an act of aſſembly, entitled, (a) An act for relieving the inhab of this province from ſome aggrievances in the proſecution of ſuits at law. Lib. L. No. 5. fo

(a) 1714, ch. 4, hereby continued three years, &c. Expired.

C H A P. V.

reviving and continuing an act of assembly, entitled, (a) An act for the advancement of Lib. L. No. 5. fol. 149. Passed 30th of October, 1727.

(a) 1723, ch. 12, hereby continued three years, &c. Expired.

C H A P. VI.

for reviving an act, entitled, * An act for the trial of all matters of fact in the several s where they have arisen or shall arise, the continuance of causes in the provincial court, ournment of that court, with the (b) supplementary act thereto, and to amend some defects aid acts. Lib. L. No. 5. fol. 149. * 1723, ch. 23.

(b) 1724, ch. 17, hereby continued three years, &c.

C H A P. VII.

concerning tobacco. Lib. L. No. 5. fol. 151.

tinue in force for three years from the end of this session. Repealed in part by 1728, ch. 10, and totally expired 30th 730.

C H A P. VIII.

for the speedy and effectual publication of the laws of this province, and for the encou- nt of William Parks, of the city of Annapolis, printer. Lib. L. No. 5. fol. 154.

continue in force till the 21st March, 1732; continued by 1733, ch. 1, for seven years, and expired in 1740.

C H A P. IX.

declaring the (c) bounds of two acres of land heretofore granted to Great Choptank parish, ch the chapel in Vienna now stands. Lib. L. No. 5. fol. 155.

(c) Altered by 1730, ch. 2.

C H A P. X.

empowering the vestrymen and churchwardens of St. Paul's Parish, in Baltimore county, chase one or more acres of land in the said parish, and to build a parish church thereon, as raising a fund to complete and finish the same. Lib. L. No. 5. fol. 156.

C H A P. XI.

for erecting a court-house and prison on the east side of the head of Port-Tobacco creek, lace called Chandler-town, in Charles county, and for making sale of the old court-house ison. Lib. L. No. 5. fol. 158.

By this act, 1. The justices were empowered to make choice of, and purchase, three acres of land, by agreement with r, or valuation of a jury, which land to be for the use of the said county for ever, and thereon to build a court-house n. 2. After building the said court-house, Charles county court to be held in such new court-house, and not elsewhere, e record books, &c. belonging to the said county, to be removed there. 3. The justices empowered to make sale of the house and prison, with the land thereto belonging, to the best purchaser, and to convey an estate thereof in fee-simple their heirs and assigns for ever, &c.

C H A P. XII.

for the naturalization of Francis Rudolph Bodieu, of Kent county, chirurgeon, and his n. Lib. L. No. 5. fol. 160. A Private Act.

C H A P. XIII.

to make valid a deed of bargain and sale from William Rogers and Mary his wife, to John on, of Charles county, when recorded. Lib. L. No. 5. fol. 160. A Private Act.

C H A P. XIV.

for the naturalization of Daniel Maynadier, of Talbot county, clerk, and his children. No. 5. fol. 162. A Private Act.

C H A P. XV.

for the making good and valid a certain indenture, or deed of bargain and sale, from Bar- ew Atkison, and Sebera his wife, late of Baltimore county, to John Hurd, of Anne-Arun- nty. Lib. L. No. 5. fol. 163. A Private Act.

C H A P. XVI.

for the making good and valid in law a certain deed of bargain and sale from John Brown, nce-George's county, to John Frazer, of Calvert county, mariner. Lib. L. No. 5. fol. A Private Act.

CHAP.

CHAP. XVII.

Paſſed 20th of October, 1727. An ACT for the naturalization of John Woolf, of the city of Annapolis, ſhoemaker, Hanna his wife, Peter Woolf, the ſon of the ſaid John Woolf, Anneleſſe Woolf and Hannah daughters of the ſaid John Woolf, and Maudlin Woolf, of the ſaid city, ſpinſter, and Woolf, of the ſaid city, ſhoemaker. Lib. L. No. 5. fol. 165. A Private Act.

CHAP. XVIII.

An ACT for the naturalization of John Samuel Mynſkie, of the city of Annapolis, blackſm Catharine Mynſkie, his wife, and Suſannah Mynſkie his daughter. Lib. L. No. 5. fol. Private Act.

CHAP. XIX.

An ACT for the making good and valid in law a certain indenture, or deed of bargain from John Grey, of Anne-Arundel county, to Theophilus Kitton, late of Baltimore planter. Lib. L. No. 5. fol. 167. A Private Act.

CHAP. XX.

An ACT empowering certain commiſſioners to vend and diſpoſe of the lands whereof Samuel the younger, died ſeized, or was mortgagee in fee, or otherwiſe, within this province, ſell and diſpoſe of ſo much of the ſaid land as will ſatisfy Betty Gale and Levin Gale, of the teſtament of Levin Denwood, late of Somerſet county, deceaſed, the ſum of eight and twenty pounds five ſhillings and ſeven-pence ſterling, due from the ſaid Samuel Groo younger, to the ſaid Levin Denwood, and yet unſatisfied to the ſaid Betty Gale and Lev his executors. Lib. L. No. 5. fol. 168. A Private Act.

CHAP. XXI.

An ACT for the relief of William Maria Farthing, a languiſhing priſoner in St. Mary's John Conway, William Jones, John Cooke, Philip Anthony Uſſleman, Samuel Glover a rence Hay, languiſhing priſoners in Anne-Arundel county, John Petticoat, a languiſhing in Baltimore county, John Wood, a languiſhing priſoner in Anne-Arundel county, Thom a languiſhing priſoner in Talbot county, Clarina Gilly, a languiſhing priſoner in Calver John Glaſſington, a languiſhing priſoner in Baltimore county, and Avinio Butler, a la priſoner in Talbot county. Lib. L. No. 5. fol. 171. A Private Act.

CHAP. XXII.

An ACT for the recording of a deed indented, of bargain and ſale, from Mary Orrel, dec John Bickerton, of Anne-Arundel county. Lib. L. No. 5. fol. 177. A Private Act.

CHAP. XXIII.

An ACT for the recording an indented deed of bargain and ſale, being the counterpart, cate, of an original deed of bargain and ſale from Mary Bateman and Henry Scarbor Richard Perry. Lib. L. No. 5. fol. 179. A Private Act.

CHAP. XXIV.

An ACT for the relief of Peter Carmack. Lib. L. No. 5. fol. 181. A Private Act.

CHAP. XXV.

An ACT for the naturalization of Peter Montgomery, of Charles county, planter, and his Lib. L. No. 5. fol. 182. A Private Act.

CHAP. XXVI.

An ACT to confirm unto William Ford, of Anne-Arundel county, two tracts of land he mentioned. Lib. L. No. 5. fol. 183. A Private Act.

CHAP. XXVII.

An ACT for the making good and valid in law a deed indented, duly executed and ackno but not recorded, from James Preſbury and Martha his wife, to William Marſhall and wife. Lib. L. No. 5. fol. 184. A Private Act.

CHAP. XXVIII.

An ACT for the relief of John Hanſteelman, in making valid and effectual certain deeds and ſale from Thomas Edmonds, of Baltimore county, and Henry Borne, of Cæcil co John Hanſteelman. Lib. L. No. 5. fol. 185. A Private Act.

CHAP. XXIX.

An ACT for the payment and aſſeſſment of the public charge of this province for this pre one thouſand ſeven hundred and twenty-ſeven. Lib. L. No. 5. fol. 187.

ESSION of ASSEMBLY begun and held at the CITY of NAPOLIS, in the county of Anne-Arundel, for the province Maryland, on the 3d day of October, and ended the 2d day of ember, in the 14th year of the dominion of the right honourable RLES, abſolute Lord and Proprietary of the provinces of Mary- and Avalon, Lord Baron of Baltimore, &c. *annoque domini* 8, were enacted the following laws, viz.

BENEDICT LEONARD CALVERT, ESQUIRE, GOVERNOR.

CHAP. I.

for aſcertaining the form of the oath of judge or juſtice. Lib. L. No. 5. fol. 189. Diſſent. — Paſſed 2d of Nov. 1728.

CHAP. II.

for improving the ſtaple of tobacco. Lib. L. No. 5. fol. 191. Diſſent.

CHAP. III.

to repeal an act, entitled, * An act prohibiting the importation of bread, beer, flour, wheat, or other Indian or Engliſh grain or meal, horſes, mares, colts or fillies, from Penn- a, and the territories thereto belonging. Lib. L. No. 5. fol. 202. — Paſſed 14th of October, 1728. * 1715, ch. 18.

CHAP. IV.

plementary act to the act, entitled, * An act relating to ſervants ſlaves. Lib. L. No. 5. fol. 203. — Paſſed 19th of October, 1728. * 1715, ch. 44.

An additional ſupplementary act paſſed 1748, ch. 19.

EREAS by the act of aſſembly relating to ſervants and ſlaves, there is no proviſion made for he puniſhment of free mulatto women, having baſtard children by negroes and other ſlaves, ere any proviſion made in the ſaid act for the puniſhment of free negro women, having baſ- dren by white men; and foraſmuch as ſuch copulations are as unnatural and inordinate as white women and negro men, or other ſlaves, — Preamble.

IT ENACTED, *by the right honourable the Lord Proprietary, by and with the advice and conſent of p's Governor, and the Upper and Lower Houſes of Aſſembly, and the authority of the ſame,* That after the end of this preſent ſeſſion of aſſembly, that all ſuch free mulatto women, having hildren, either within or after the time of their ſervice, *(and their iſſue,)* ſhall be ſubject to penalties that white women and their iſſue are, for having mulatto baſtards, by the act, en- n act relating to ſervants and ſlaves. — Mulatto women ſubject to penalties, &c.

ND BE IT FURTHER ENACTED, *by the authority aforeſaid, by and with the advice and conſent afore-* t from and after the end of this preſent ſeſſion of aſſembly, that all free negro women, aſtard children by white men, *(and their iſſue,)* ſhall be ſubject to the ſame penalties that omen are, by the act aforeſaid, for having baſtards by negro men. — Free negro women ſubject to the ſame.

parts of the act of 1715, ch. 44, and of this act, which impoſe a ſervitude to the age of thirty-one years on the iſſue of nordinate copulations, mentioned in the 26th, 27th and 28th ſections of the act of 1715, and in the 2d and 3d ſections of were repealed by 1790, ch. 9, (which is ſince repealed,) and by 1796, ch. 67, with a ſaving of the rights of any per- uch iſſue before acquired.

ND BE IT FURTHER ENACTED, *by the authority aforeſaid, by and with the advice and conſent afore-* t the ſame method of proceeding to judgment, upon any matter within this act, be the ſame ſcribed by the act, entitled, An act relating to ſervants and ſlaves. — Proceedings to be the ſame.

CHAP. V.

mentary act to the act, entitled, * An act for the eſtabliſhment of religious worſhip in this ce, according to the church of England, and for the maintenance of miniſters. Lib. L. fol. 205. (a) Diſſent. — Paſſed 30th of October, 1728. * 1702, ch. 1.

oclamation iſſued for publication of the diſſent to this act the 7th May, 1730. Recorded Lib. P. L. No. 6. fol. 381.

CHAP.

CHAP. VI.

Paſſed 30th of October, 1728.

An ACT reviving and continuing an act of aſſembly of this province, entitled, (a) An act for better relief of poor debtors. Lib. L. No. 5. fol. 208.

(a) 1722, ch. 13, hereby continued three years, &c. Expired.

CHAP. VII.

Paſſed 24th of October, 1728.

An ACT to encourage the deſtroying of wolves, crows and ſquirrels. Lib. L. No. 5. fol. 209.

Scalps to be produced, &c,

BE IT ENACTED, *by the right honourable the Lord Proprietary, by and with the advice and consent of his lordſhip's Governor, and the Upper and Lower Houſes of Aſſembly, and the authority of the ſame*, from and after the commencement of this act, every maſter, miſtreſs, owner of a family, or taxable, in the ſeveral and reſpective counties within this province, ſhall be, and are hereby obliged, yearly, (at ſome time before the laying their county levies,) to produce to ſome one of the juſtices of their county, three ſquirrel ſcalps, or crows heads, for every taxable perſon that is to pay levy for that year, and the juſtices of the peace, before whom ſuch ſquirrels ſcalps, or crows heads, ſhall be brought, ſhall be, and is hereby obliged to deſtroy ſuch ſquirrels ſcalps, and crows heads, as ſhall be ſo produced to him, to prevent their being produced a ſecond time, and give the perſon a certificate under his hand, certifying the number of ſquirrels ſcalps and crows heads the perſon brought before him, which certificate, the perſon obtaining the ſame ſhall lay before the juſtices of their county, at the time of the laying their county levy; and the juſtices ſhall then have a liſt of the taxables of their county to be laid before them, in order from thence to compare the number of taxables each perſon pays in the county, with the certificates produced, that thereby may be found what perſons have complied with this act, and who have failed therein.

By the temporary law of 1758, ch. 11, this act, ſo far as relates to St. Mary's, Somerſet, Charles, Anne-Arundel, Calvert, Worceſter, Prince-George's, Frederick, Baltimore and Dorcheſter counties, was repealed in the parts relating to and ſquirrels. Four ſquirrels ſcalps, or crows heads, to be produced for each taxable in the aforeſaid counties, and of tobacco to be leviable by execution for every ſuch ſcalp, &c. not produced.

Repealed (as far as it related to crows and ſquirrels,) as to St. Mary's, Somerſet, Charles, Anne-Arundel, Calvert, Worceſter, Talbot, Prince-George's, Frederick and Dorcheſter counties, by 1765, ch. 35; and (on the expiration of that act) again repealed as to thoſe counties and Kent county, by 1769, ch. 16. Repealed as to Queen-Anne's after the 10th of May, 1770, by 1770, ch. 14. Repealed as to Baltimore county by 1774, ch. 6.

Penalty for not producing, &c.

II. AND BE IT FURTHER ENACTED, *by the authority, advice and conſent aforeſaid*, That every perſon that ſhall fall ſhort of producing a certificate of ſquirrels ſcalps or crows heads, in proportion to their taxables, according to the directions of this act, the juſtices of the ſeveral and reſpective county courts within this province, at the time of laying the county levy, are hereby empowered and required, for each ſquirrel ſcalp, or crows head, ſuch perſon ſhall fall ſhort, in manner aforeſaid, to levy upon ſuch perſon the ſum of two pounds of tobacco, to be upon execution, and collected by the ſheriff of the county in the ſame manner as the public and county levies are, to be applied to the defraying the county charge.

Allowance for ſcalps, &c.

III. AND BE IT FURTHER ENACTED, *by the authority, advice and conſent aforeſaid*, That every perſon that ſhall bring to any juſtice of the peace within this province the heads or ſcalps of any more ſquirrels or crows than the three for each taxable by this act required, ſhall, for every ſuch head or ſcalp, be allowed in the county levy where ſuch ſquirrel or crow was killed, the ſum of two pounds of tobacco, and the juſtice of the peace before whom ſuch heads or ſcalps ſhall be brought, is hereby required to give the perſon bringing the ſame a certificate thereof, and cauſe the ſaid heads or ſcalps to be burnt, or otherwiſe deſtroyed; provided always, that no perſon whatſoever ſhall be entitled to any allowance for any ſquirrels or crows heads or ſcalps, without firſt making oath (or affirmation, if a quaker,) or otherwiſe make appear, that ſuch ſquirrels or crows were killed after the commencement of this act, and in the county where the allowance is prayed.

And wolves heads, &c.

IV. AND BE IT FURTHER ENACTED, *by the authority, advice and conſent aforeſaid*, That the ſum of two hundred pounds of tobacco ſhall be allowed to every perſon that ſhall bring a wolf's head to the juſtice of the peace in that county levy where the wolf was killed; and the juſtice of the peace before whom any wolf's head is brought, ſhall cauſe the tongue thereof to be cut out, and ears cropt, that it may not be preſented again; and the ſeveral county courts within this province are hereby required and empowered to levy the ſeveral ſums of tobacco, by this act to be allowed, in their county levies, upon their ſeveral and reſpective counties.

Oath to be made, &c.

V. AND BE IT FURTHER ENACTED, *by the authority, advice and conſent aforeſaid*, That from and after the commencement of this act, it ſhall not be lawful for any juſtice or juſtices of the peace

several counties within this province, to whom any wolves heads, other than those killed dian, shall be brought, and application made, by any person or persons whatsoever, for a thereof, to entitle him or them to the allowance in this act mentioned in the county levy, or they do first declare, upon their corporal oath, to be administered by such justice or jus- pplied to, (or affirmation by the people called quakers,) that such wolf or wolves, whereof the heads, were actually killed in that county where they pray for such allowance; and hat no certificate (in order to be allowed in any the several counties within this province,) ven by any the justices aforesaid, for any wolves head or heads that shall be brought before any Indian, or that has been bought of any Indian, by any person whatsoever, unless es head or heads be brought before such justice or justices whole and entire, and that they such justice to be green and fresh killed. CHAP. VII.

ND BE IT FURTHER ENACTED, *by the authority, advice and consent aforesaid*, That this act shall e from the fifteenth day of December next after the end of this session of assembly, and ceforth all laws heretofore made, in relation to wolves, squirrels and crows, be and are pealed, abrogated, and made null and void. Commence- ment, &c.

ND BE IT FURTHER ENACTED, *by the authority, advice and consent aforesaid*, That every person , during the continuance of this act, presume upon any pretence whatsoever, to come to guns or dogs within any enclosed grounds, islands, peninsulas or necks, fenced across from water, without leave or licence from the proprietors thereof first had and obtained, shall, such offence, forfeit and pay to the party grieved the sum of two hundred pounds of to- be recovered before a single magistrate, in the same manner as small debts now are re- , any law, statute or usage to the contrary notwithstanding. Penalty on per- sons hunting, &c.

t does not appear to have been actually repealed, but several other acts have been made respecting wolves. See Novem- , ch. 4, 1797, ch. 6, ch. 22, 1798, ch. 4, ch. 22.

CHAP. VIII.

CT to supply some defects in the act, entitled, * An act for encouragement of learning, and erecting schools in the several nties within this province, and also to explain an act, entitled, n act for laying an additional duty of twenty shillings current ney per poll on all Irish servants being papists, to prevent the wth of popery by the importation of too great a number of m into this province, and also the additional duty of twenty lings current money per poll on all negroes, for raising a fund the use of public schools within the several counties of this vince. Lib. L. No. 5. fol. 212. Passed 2d of Nov. 1728. * 1723, ch. 19. † 1717, ch. 10.

EREAS by the act, entitled, An act for the encouragement of learning, and erecting chools in the several counties within this province, direction and powers are given for the on and choice of any person or persons, in the room and place of any visitor or visitors removing out of the county, but no provision is made by the said act for the turning out and the place of any visitor or visitors wilfully neglecting or refusing to act in the duty and of- visitor, by which means several inconveniencies, and much damages, have and may happen hools; for remedy whereof, Preamble.

IT ENACTED, *by the right honourable the Lord Proprietary, by and with the advice and consent of 's Governor, and the Upper and Lower Houses of Assembly, and the authority of the same*, That in of the visitors of the said schools shall hereafter wilfully and obstinately refuse or neglect to d be present, at any of the times appointed for the meeting of the said visitors, so that the affairs of the said school or schools cannot be transacted and directed, that then it shall and awful for the visitors of each school, or the major part of such visitors who shall so meet, are irected and empowered to nominate and choose one or more of the principal and better sort habitants of the county into the place and room of the said visitor so refusing or neglecting aid, which person or persons so elected and chosen, from time to time, are always to be in the same manner as is directed for the qualification of visitors by the said recited act. On refusal to serve, others may be chosen, &c.

CHAP VIII. Poor children to be taught.

III. AND BE IT FURTHER ENACTED, *by the authority, advice and conſent aforeſaid*, That t of every public ſchool within this province, ſhall and is hereby required to teach as many p dren *gratis* as the viſitors, or the major part of them of the reſpective ſchools ſhall order, o mediately diſcharged and removed from his truſt in the ſaid ſchool, and a new maſter put in

IV. AND, whereas ſome doubts have ariſen on the explanation and conſtruction of an act, An act for laying an additional duty of twenty ſhillings current money per poll on all Iriſh being papiſts, to prevent the growth of popery by the importation of too great a number of t this province, and alſo the additional duty of twenty ſhillings current money per poll on all for raiſing a fund for the uſe of public ſchools within the ſeveral counties of this province, the twenty ſhillings current money thereby impoſed on Iriſh ſervants, being papiſts, and neg ported into this province by land or water, were intended by the ſaid act, or ſhall be conſt be impoſed on ſuch Iriſh ſervants, being papiſts, and negroes, as have been or ſhall be imp any ſhip or veſſel built in this province, whereof the owners have been or ſhall be actually in this province, or in any ſhip or veſſel Engliſh or plantation built, purchaſed, enjoyed or owners reſidents within this province; BE IT THEREFORE DECLARED, AND IT IS HEREBY EN

No veſſel to be diſcharged, &c. *by the authority aforeſaid, by and with the advice and conſent aforeſaid*, That no ſhip or veſſel whe the owners have been (or ſhall be) actually reſidents of this province, or no ſhip or veſſel E plantation built, purchaſed, enjoyed and held, by owners reſidents within this province, conſtrued to have been or ſhall hereafter be diſcharged, and not liable to the payment of th ſaid duty of twenty ſhillings current money per poll on all Iriſh ſervants, being papiſts, and all imported into this province, in ſuch ſhip or veſſel, any law or uſage to the contrary thereof wiſe notwithſtanding.

CHAP. IX.

Paſſed 2d of Nov. 1728. An ACT to appropriate part of the land laid out in the city of Annapolis for the building a houſe on, to and for the building a market-houſe. Lib. L. No. 5. fol. 214.

N. B. By this act, 1. Henry Ridgley, Mordecai Hammond and John Welſch, gentlemen, or any two of them, were ed to ſurvey, lay out and mark, 60 feet in breadth on the water, 360 feet in length, and 25 feet on the head of the land allotted to build a cuſtom-houſe on, (which is contained by 250 feet in breadth on the water, 360 feet in length, and breadth on the head of the ſaid land,) and return a certificate thereof, to be recorded in the mayor's court, and the corp be ſeized of an eſtate in fee-ſimple in and to the land ſo laid out, &c. provided the corporation build a market-hou within two years after ſuch ſurvey, &c. 2. The corporation are empowered to ſell the land formerly laid out for a mar and to apply the money ariſing from ſuch ſale towards building the market-houſe intended by this act. See 1751, ch. empowered the corporation to ſell the market-houſe and land eſtabliſhed by this act, and to apply the money ariſing from towards the purchaſing ſome other piece of ground within the city, and building thereon a new market-houſe.

CHAP. X.

An ACT repealing part of an act, entitled, (a) An act concerning tobacco, made at a ſe aſſembly begun and held at the city of Annapolis on Tueſday the 10th day of October, Lib. L. No. 5. fol. 216.

(a) 1727, ch. 7, which being temporary is ſince expired.

CHAP. XI.

Paſſed 21ſt of October, 1728. An ACT for the relief of Sarah Maſſey, of the city of Philadelphia. Lib. L. No. 5. fol. A Private Act.

CHAP. XII.

Paſſed 22d of October, 1728. An ACT for deſtroying bears in Somerſet county. Lib. L. No. 5. fol. 219.

This act has not been repealed, but, it may be preſumed, has ceaſed to have any operation.

CHAP. XIII.

Paſſed 24th of October, 1728. An ACT to confirm two deeds of ſale, the one from George Oldfield, and Petronella his w the other from Richard Carr, ſon and heir at law to a certain John Carr, of Cæcil county, d to Caſparus Auguſtine Herman. Lib. L. No. 5. fol. 220. A Private Act.

CHAP. XIV.

An ACT for the naturalization of William Rayman, of the city of Annapolis. Lib. L. fol. 222. A Private Act.

CHAP. XV.

An ACT for erecting a new pariſh out of that part of St. Paul's pariſh that lies in Anne- county, and out of All-Hallow's and St. Anne's pariſhes in the ſaid county. Lib. L. No. 5.

N. B. By this act, 1. All the remaining part, heretofore called Elk-Ridge hundred, which was not annexed to W pariſh being now part of St. Paul's pariſh aforeſaid, and all that part of All-Hallow's pariſh, bounded by a line d the mouth of Rogue's Harbour branch, on Patuxent river, to the North branch, or Snowden's river, on the ſouthwa mas Jones's plantation, alſo all that part of St. Anne's pariſh bounded by a line drawn from the mouth of a ſmall b

ent river, and lying between the plantations of John Ryan and Roſe Lee, and running by a ſtreight line through the it interſects the former diviſional line between Anne-Arundel and Baltimore counties, including therein the plantations yan and John Barber, ſhall be taken from the pariſhes aforeſaid, and be erected into a new pariſh, by the name of oline. 2. The inhabitants of the ſaid Queen Caroline pariſh to enjoy all benefits, privileges, power and authorities, any inhabitants of any other pariſh within this province. 3. The freeholders empowered to elect veſtrymen and dens, and to finiſh the church already built therein, which ſhall be reputed, taken and deemed as the pariſh church for

CHAP. XVI.

for the laying out of land, and erecting a town, in St. Mary's county, at a place formerly Seymour-town. Lib. L. No. 5. fol. 225. Paſſed 28th of October, 1728.

y this act, 1. Commiſſioners were appointed and empowered to purchaſe (by agreement, or valuation of a jury) fifty and adjoining to the place where St. Mary's county court-houſe now ſtands, and to cauſe the ſame to be ſurveyed and or a town into eighty lots, with convenient ſtreets, lanes, &c. 2. The owner of the land to have his choice for two the remaining lots to be taken up by others, but no perſon to take up more than one lot, within the ſaid fifty acres, r months after laying out the ſame, nor any other than inhabitants of the ſaid county; after which time any other hatſoever might take up lots, paying the owner of the land proportionably for the ſame. 3. In caſe the taker up of any or neglect to build upon ſuch lot, within twelve months, a houſe to cover four hundred ſquare feet, and the chimnies brick or ſtone, it ſhall then be lawful for any other perſon to enter upon ſuch lot ſo not built upon as aforeſaid, on e ſum of tobacco firſt ſet upon ſuch lot to the commiſſioners or perſon by them appointed to receive the ſame, for the and benefit of the town; and ſuch ſecond taker up, on building in manner aforeſaid, within twelve months after his e, ſhall have as good an eſtate, to all intents and purpoſes, as by this act is ſettled upon the firſt taker up and builder. s, not taken up in ſeven years after publication of this act, ſhall revert to the owner of the land, who ſhall be poſſeſſed ſted in the ſame as in his firſt and former eſtate. 5. This act not to prejudice any perſons, their heirs or aſſigns, who plied with the requiſites of the former act, whereby part of the land allowed to be laid out was actually ſurveyed into hen called Seymour's-town, of their title to or inheritance in ſuch lots. 6. The land not to be ſo ſurveyed as to affect ngs or improvements of the heir at law of Thomas Cooper, deceaſed. 7. A ſaving of rights to his majeſty, the lord , &c. 8. The place to be called Leonard-town, and all writs, &c. iſſuing out of St. Mary's county court to be made to the ſaid place, by the name of Leonard-town.

pplementary act 1730, ch. 5, wherein ſome defects of this act are aided, particularly the want of a free-hold eſtate in ken up. This town was originally eſtabliſhed by 1708, ch. 3, when Mr. Seymour was governor, whereby fifty acres ere ordered to be laid out and erected into a town at Sheppard's old fields, near the head of Britan's bay, on the land Lynes, Eſquire, and the court-houſe of St. Mary's county to be built and kept there; how it came to be called Sey- n (unleſs by common courteſy, in compliment to the then governor,) does not appear; but in the act of 1710, ch. 6, it y the name of Seymour-town, otherwiſe Sheppard's Old Fields.

CHAP. XVII.

empowering the juſtices of Calvert county to finiſh the court-houſe of that county by an nt on the inhabitants thereof, as alſo for the relief of John Critchard and William Kidd, the builders of the ſaid court-houſe. Lib. L. No. 5. fol. 229. Paſſed 30th of October, 1728.

By this act, the place whereon the ſaid court-houſe now ſtands was from thenceforth to be called and known by the Prince-Frederick-town.

CHAP. XVIII.

for the relief of Francis Gateril, of Anne-Arundel county. Lib. L. No. 5. fol. 231. ate Act.

CHAP. XIX.

for the dividing of St. Paul's pariſh, in Queen-Anne's county, and part of Talbot county. No. 5. fol. 232.

By this act, 1. All the land to the north-eaſt ſide of Courſeca creek, and the north-eaſt ſide of the eaſternmoſt branch ommonly known by the name of the Three Bridges, and running up the ſaid branch through the dwelling plantation dward Wright, to the head thereof, thence down with a branch called Smith's branch, to a branch of Tuckahoe, and branch to the main branch of Tuckahoe creek, and from the aforeſaid main branch, with a line drawn ſouth-eaſt to river, is taken from St. Paul's pariſh, and erected into a new pariſh, by the name of St. Luke's pariſh. 2. The in- of St. Luke's pariſh to have and enjoy all benefits, privileges, power and authority, equal with the inhabitants of any iſh within this province. 3. The freeholders of the ſaid pariſh are empowered to elect veſtrymen and churchwardens, ld and found a new church, &c.

CHAP. XX.

for the relief of Edward Pariſh, of Anne-Arundel county. Lib. L. No. 5. fol. 234. A Act. Paſſed 31ſt of October, 1728.

CHAP. XXI.

for the relief of John Powell, John Nowell, Samuel Stevens, Mary Gordon and Thomas languiſhing priſoners in Anne-Arundel county, Thomas Hill and James Ward, languiſhing rs in Talbot county, Richard Edwards and Nathaniel Wright, languiſhing priſoners in Anne's county, Chriſtopher Bonfield and Clarina Gilly, languiſhing priſoners in Calvert Kennith Mackenſey, a languiſhing priſoner in Charles county, Peter Bromfield, a languiſh- ſoner in Prince-George's county, and Abel Van Burkelo, a languiſhing priſoner in Cæcil Lib. L. No. 5. fol. 235. A Private Act. Paſſed 1ſt of Nov. 1728.

CHAP. XXII.

Passed 1st of Nov. 1728. An ACT for the better regulating the parishes in St. Mary's and Charles counties. Lib. L. fol. 242.

N. B. By this act, certain commissioners were appointed for regulating the several parishes in the said counties, and the same by natural, or artificial boundaries, &c. and to return their proceedings to the next general assembly, for their and approbation; and an act was passed 1729, ch. 14, in pursuance thereof, but dissented to by his lordship.

CHAP. XXIII.

An ACT to prevent the abuses of concealing convicted felons, and other offenders, imported this province, and for the better discovery of them. Lib. L. No. 5. fol. 244.

A Supplement, 1769, ch. 22.

CHAP. XXIV.

Passed 2d of Nov. 1728. * 1714, ch. 4. A Supplementary act to the * act for relieving the inhabitants of this province from some aggrie in the prosecution of suits at law. Lib. L. No. 5. fol. 249.

The 4th, 5th and 6th sections of this act were repealed by 1791, ch. 67, the repeal to take place after the 10th the remainder expired at the end of the session of 1795, with the principal act, 1714, ch. 4, under which the several are noted.

CHAP. XXV.

An ACT for the repairing and enlarging of the church in the city of Annapolis, and for the ing a chapel of ease in the parish of St. Anne's, in Anne-Arundel county, and to empo raising and levying a quantity of tobacco for that purpose. Lib. L. No. 5. fol. 250.

CHAP. XXVI.

An ACT for the payment and assessment of the public charge of this province for this pres one thousand seven hundred and twenty-eight. Lib. L. No. 5. fol. 252.

CHAP. XXVII.

Passed 22d of October, 1728. An ACT for the relief of John Beale, of Charles county. Lib. L. No. 5. fol. 253. A Pri

1729. At a SESSION of ASSEMBLY begun and held at the Cr ANNAPOLIS, in the county of Anne-Arundel, for the pr of Maryland, on the 10th day of July, in the 15th year dominion of the right honourable CHARLES, absolute Lor Proprietary of the provinces of Maryland and Avalon, Lord of Baltimore, &c. and ended the 8th of August, *anno* 1729, were enacted the following laws.

BENEDICT LEONARD CALVERT, ESQUIRE, GOVERNOR.

CHAP. I.

Passed 8th of August, 1729. An ACT for the naturalization of Christian Peters, of Cæcil county, a native of Germany No. 5. fol. 255. A Private Act.

CHAP. II.

* 1707, ch. 6. An ACT repealing part of an act, entitled * An act against and counterfeiting of foreign coins, gold or silver, made at a of assembly begun and held at the then town and port of An the 26th day of March, *anno domini* one thousand seven h and seven. Lib. L. No. 5. fol. 256.

Preamble. WHEREAS at a session of assembly begun and held at the city of Annapolis *anno* 1 was an act passed to prevent, amongst other things, the clipping of all sorts of for

nuch as ſuch coins, both of gold and ſilver, do at this time paſs current by weight, and not s heretofore, whereby the miſchiefs of clipping are effectually prevented, and ſeeing that ng or clipping of foreign coins is now in ſome meaſure neceſſary for the making of change, ent general aſſembly, taking into their ſerious conſideration the grievous penalties inflicted id act upon perſons clipping foreign coins as aforeſaid, have thought fit to repeal ſo much of act as related thereunto; CHAP. II.

HEREFORE, BE IT ENACTED, *by the right honourable the Lord Proprietary, by and with the advice nt of his lordſhip's Governor, and the Upper and Lower Houſes of Aſſembly, and the authority of the* at that part of the ſaid act that relates to clipping the coins therein mentioned, be and is tterly repealed and made void. Part of an act repealed.

CHAP. III.

ementary act to the acts for * regulating writs of error, and granting appeals from and to the of common law, within this province, and for regulating (a) appeals from the court of chan- Lib. L. No. 5. fol. 257. Paſſed 8th of Auguſt, 1729. * 1713, ch. 4.

(a) See 1721, ch. 14, ſection 3.

This act, relating to appeals to the governor and council, has ceaſed to have any operation.

CHAP. IV.

CT for the more effectual puniſhing of negroes and other ſlaves, d for taking away the benefit of clergy from certain offenders. b. L. No. 5. fol. 258.

HEREAS ſeveral petit treaſons, and cruel and horrid murders, have been lately committed by negroes, which cruelties they were inſtigated to commit, and hereafter may be inſtigated it with the like inhumanity, becauſe they have no ſenſe of ſhame, or apprehenſion of future or puniſhments; and that the manner of executing offenders, preſcribed by the laws of Eng- not ſufficient to deter a people from committing the greateſt cruelties, who only conſider the nd ſeverity of puniſhment; Preamble.

E IT THEREFORE ENACTED, *by the right honourable the Lord Proprietary, by and with the advice nt of his lordſhip's Governor, and the Upper and Lower Houſes of Aſſembly, and the authority of the* hat when any negro, or other ſlave, ſhall be convict, by confeſſion, or verdict of a jury, of it treaſon or murder, or wilfully burning of dwelling-houſes, it ſhall and may be lawful for ces before whom ſuch conviction ſhall be, to give judgment againſt ſuch negro, or other ſlave, the right hand cut off, to be hanged in the uſual manner, the head ſevered from the body, ly divided into four quarters, and head and quarters ſet up in the moſt public places of the where ſuch fact was committed. Puniſhment on ſlaves for petit treaſon, &c.

AND, whereas ſeveral felons have feloniouſly broke and entered ſeveral ſhops, ſtore-houſes or uſes, not contiguous to or uſed with any manſion-houſe, and ſtolen from thence ſeveral goods rchandiſes, and that it hath been doubted whether ſuch offenders are, by any law now in excluded the benefit of clergy; BE IT ENACTED AND DECLARED, *by the authority, advice and foreſaid*, That if any perſon or perſons ſhall, after the end of this ſeſſion of aſſembly, break ſhop, ſtore-houſe or warehouſe, although ſuch ſhop, ſtore-houſe or warehouſe, be not con- to or uſed with any manſion-houſe, and ſteal from thence any goods, to the value of five s, and be thereof convict, by confeſſion, or verdict of a jury, ſuch offender or offenders ſhall eath as felons, without benefit of clergy, any law, uſage or cuſtom to the contrary notwith- g. And for breaking into any ſhop, &c.

CHAP. V.

CT reviving and continuing an act, entitled, (b) An act aſcertaining the gauge and tare of co hogſheads, and to prevent cropping, cutting and defacing tobacco taken on board ſhips veſſels upon freight, and for laying impoſitions on tobacco per the hogſhead for the ſupport of rnment, and for the encouraging ſettlements in this province, by aſcertaining the manner of g his lordſhip's alienation fines and quit-rents for the term therein propoſed, and for taking e three-pence per hogſhead formerly raiſed for the public charge. Lib. L. No. 5. fol. 260.

(b) 1717, ch. 7, hereby continued to 29th September, 1730.

CHAP. VI.

CT for the laying out of land and erecting a town at the head of Port-Tobacco creek, in les county. Lib. L. No. 5. fol. 262.

N. B. By

N. B. By this act, 1. Certain commiſſioners are appointed and empowered to purchaſe (by agreement, or valuation of ſixty acres of land at the place aforeſaid, and to cauſe the ſame to be ſurveyed and laid out in the moſt convenient manner as to adjoin to and encompaſs the land belonging to Port-Tobacco church and the court-houſe. 2. One acre to be laid out for a market-place, and the remaining 59 acres to be divided into 100 lots, allowing convenient ſtreets, &c. of which lots the owner of the land to have his choice of two, provided he make his choice in 15 days after laying out the town, and the remainder may be taken up by any inhabitants of the county, no perſon to take up more than one lot within the firſt four months. 3. In caſe the ſaid inhabitants ſhall not take up the lots within the ſaid time, then any other perſons may take up the ſame. The damage or recompence aſſeſſed by the jury, or the ſum agreed for by the commiſſioners, ſhall be paid to the owner of the land by the perſons taking up lots, proportionably to their lots. 4. Every perſon taking up any lot ſhall build thereon, within ſix months from the time of taking up, a houſe to cover 400 ſquare feet, excluſive of ſheds. 5. All the houſes to be built on the ſame ſtreet, lane or alley, and to front the ſame. 6. The commiſſioners to return their proceedings to the county clerk (within 10 days after laying out the town,) who ſhall enter the ſame in the land records, and file the original report. 7. Perſons taking up lots ſhall apply to the ſaid clerk, who ſhall enter their names in the records, with the day of the month, &c. and number of the lot or lots ſo taken up, and the perſon cauſing ſuch entry to be made, and building on ſuch lot, according to this act, ſhall be veſted with a good, ſure, and indefeaſible eſtate of inheritance, in fee-ſimple, of, in and to the lot or lots ſo entered upon. 8. Perſons taking up lots, and not building thereon according to this act, ſhall entirely loſe all right, title, etc. therein, and any perſon whatever may take up ſuch lots, making entry as before directed, and paying the ſum originally upon ſuch lots to the commiſſioners, &c. for the public uſe and benefit of the town; and ſuch ſecond taker up, by virtue of entry and payment, and building on ſuch lot (according to the directions of this act,) within 18 months from the date of ſecond entry, ſhall be veſted with the ſame eſtate as is by this act ſettled on the firſt taker up. 9. In caſe any of the lots untaken up at the end of ſeven years from laying out the town, then the firſt owner of the land ſhall be poſſeſſed and veſted in the ſaid lots as in his firſt and former eſtate. 10. The town to be called Charles-town, and by no other name or title. 11. This act not to prejudice the rights of any perſons who have complied with the requiſites of the act whereby part of the land was actually ſurveyed and laid out into lots, and then called Chandler-town, of their title to or inheritance of the ſame. 12. Saving to the crown, the lord proprietor, &c. their ſeveral and reſpective rights.

CHAP. VII.

Paſſed 8th of Auguſt, 1729.

An ACT empowering and directing the juſtices of the ſeveral counties within this province to levy any quantity of tobacco, not exceeding ten pounds per poll, on the taxable perſons of any county in each of their reſpective counties, on application to them made by the veſtry and churchwardens of any pariſh. Lib. L. No. 5. fol. 266.

CHAP. VIII.

An ACT for the relief of creditors, and to prevent frauds and deceits occaſioned by ſecret ſales, mortgages, and gifts of goods and chattels. Lib. L. No. 5. fol. 267.

A Supplementary act 1763, ch. 13.

Preamble.

WHEREAS divers perſons being indebted to ſeveral of the inhabitants of this province and others his majeſty's ſubjects, have run away, without making any ſatisfaction to their creditors, and either carried their ſubſtance with them, or lodged the ſame in the hands of ſome perſon in truſt to their own uſe, or made ſecret and fraudulent ſales thereof, to the great prejudice of creditors, and the diſcouragement of trade; for remedy whereof,

Juſtice, on application, may iſſue his warrant, &c.

II. BE IT ENACTED, *by the right honourable the Lord Proprietary, by and with the advice and conſent of his lordſhip's Governor, and the Upper and Lower Houſes of Aſſembly, and the authority of the ſame*, when and as often as any provincial juſtice, or juſtice of the peace, ſhall be informed upon oath, by the teſtimony of one creditable witneſs, or by any other probable way, that any perſon or perſons do or are actually run away, or removed in a ſecret manner from the place of his, her or their abode, and ſhall have carried, or ſhall be about to remove and carry away any part of his, her or their ſubſtance, to deceive his, her or their creditors, or abſcond or fly from juſtice, that it ſhall and may be lawful for ſuch juſtice, upon application to be made to him by any creditor or creditors of ſuch runaway or abſconding perſon, and making it appear to ſuch juſtice that ſuch runaway or abſconding perſon, is really and *bonâ fide* indebted to the perſon or perſons making ſuch application, and how much, it ſhall and may be lawful for ſuch juſtice to iſſue his warrant to the clerk of the county court, or provincial court, as the caſe ſhall require, to iſſue attachment for what ſuch creditor or creditors ſhall make appear to be due or owing to him, her or them as aforeſaid; by virtue of which warrant, and this act, it ſhall and may be lawful for every ſuch clerk to iſſue attachment or attachments in the uſual form for the debt or damage that ſhall be ſo proved, and the incident charge for ſuch creditor or creditors, againſt ſuch runaway or abſconding perſon, to be directed to the ſheriff or coroner, as the caſe ſhall require, any law, uſage or cuſtom, to the contrary notwithſtanding.

* This ſection is repealed by June, 1773, ch. 13.

Same proceedings, &c.

III. AND BE IT FURTHER ENACTED, That the ſame proceedings ſhall be had on all attachments to be ſo iſſued, and ſecurity given on condemnation of any effects that ſhall be ſo attached, as

the act for regulating attachments, and limitting the extent of them, on attachments to be virtue thereof. CHAP. VIII.

This section is repealed by June, 1773, ch. 3.

ROVIDED ALWAYS, That when any creditor shall produce any bond, bill, protested bill of promissory note, or other obligation, writing or instrument, under the hand and seal, or such runaway or absconding person, such creditor shall make oath, or affirmation (if a qua- t the whole debt, or part thereof, mentioning particularly what part, (if any payment hath shall be made of any part,) remains really and *bonâ fide* due and owing to such creditor or ; and that if the debt shall be due upon account, or book debt, that then the creditor shall h account, and how much thereof shall be due as aforesaid, which account and probat shall with the respective clerks before any attachment shall issue. Proviso.

This section is repealed by June, 1773, ch. 13.

D, whereas it has often happened that several persons have heretofore secretly made over r creditors, or pretended creditors, or given their own children or others, sundry goods and and yet kept the same in their own possession, whereby they have been believed to be the rs of such goods and chattels, and thereby procure to themselves credit for considerable money, and quantities of tobacco, to the great prejudice of several inhabitants of this pro- others, BE IT THEREFORE ENACTED, *by the authority, advice and consent aforesaid*, That from the end of this session of assembly, no goods or chattels, whereof the vendor, mortgagor or all remain in possession, shall pass, alter or change, or any property thereof be transferred rchaser, mortgagee or donee, unless the same be by writing, and acknowledged before one l justice, or one justice of the county where such seller, mortgagor or donor shall reside, and twenty days recorded in the records of the same county. No goods, &c. shall pass, &c.

ROVIDED ALWAYS, That nothing in this act shall extend, or be construed to extend, to make such sale, mortgage or gift, against such seller, mortgagor or donor, his executors, admi- or assigns only, or any claiming under him, her or them. Proviso.

CHAP. IX.

T to confirm a deed of bargain and sale from Stephen Yoakley to Thomas Colmore. Lib. L. fol. 270. A Private Act. Passed 8th of August, 1729.

CHAP. X.

T for the assessment of so much tobacco on the inhabitants of All-Hallow's parish, in Anne- el county, as will build them a new parish church. Lib. L. No. 5. fol. 271.

CHAP. XI.

T for the further assessment of forty thousand pounds of tobacco on the inhabitants of St. parish, in Anne-Arundel county, towards enlarging and repairing the church in the city of olis, and building a chapel of ease in the said parish, and for the payment of a fourth part of rge by a public assessment on the whole province, for the enlargement and reparation of the urch. Lib. L. No. 5. fol. 272.

CHAP. XII.

T for erecting a town on the north side of Patapsco, in Baltimore county, and for laying out sixty acres of land in and about the place where one John Flemming now lives. Lib. L. fol. 274.

By this act, 1. Certain commissioners were appointed, and empowered to purchase (by agreement, or valuation of a y acres of land, on the tract whereon John Flemming now lives, commonly known by the name of Cole's Harbour, and the same, in the most convenient manner, into sixty equal lots, to be erected into a town. 2. The land being laid out, marked, staked out and divided into convenient streets, lanes, &c. and the lots marked, numbered, &c. the owner of o have the first choice for one lot, after which the remaining lots to be taken up by others; none to take up more than ring the first four months, nor any but inhabitants of the county within six months after laying out, after which, va- may be taken up by any other persons; and the takers up of lots to pay the owner of the land the valuation of the 60 portionably to their lots, which shall give such purchasers, their heirs and assigns, an absolute estate, in fee-simple, in ots, they complying with the requisites in this act mentioned. 3. The surveyor to return a plot of the town to the coun- to be by him kept among the county records. 4. In case the taker up of any lot or lots neglect to build thereon within months a house that shall cover 400 square feet, then may any other person enter upon such lot or lots so not built upon, e commissioners, or person by them thereunto appointed, the sum first set and assessed upon such lot, for the public use t of the town, provided such second taker up do build and finish, within 18 months after such his entry made, such n this act is before limitted and appointed to be built by the first taker up, which house so built shall give as good estate cond taker up as is by this act settled upon the first taker up and builder. 5. If any lots remain untaken up during seven n the publication of this act, then shall the owner of the land (after such time expired,) be possessed and interested in s in his first and former estate. 6. The town to be called Baltimore-town. 7. The commissioners to employ a sufficient clerk,

clerk, to make true and impartial entries of their proceedings, upon oath, which entries ſhall be made up into a wri and lodged with the clerk of Baltimore county court, for the inſpection of any perſon. 8. Saving to the crown, prietor, all bodies politic and corporate, and all others not mentioned in this act, their ſeveral rights.

CHAP. XIII.

Paſſed 8th of Auguſt, 1729.

An ACT for the aſſeſſment of ten per poll on the taxable perſons in St. Paul's pariſh, Anne's and Talbot counties, the next levy, and ten per poll the enſuing, alſo for the a per poll yearly on the taxable perſons in St. Luke's pariſh, in Queen-Anne's county, ſhall have raiſed ſufficient to complete a church in the ſaid pariſh. Lib. L. No. 5. fol.

CHAP. XIV.

An ACT concerning the pariſhes in St. Mary's and Charles counties. Lib. L. No. 5. Diſſent.

CHAP. XV.

An ACT to encourage the importation of gold and ſilver into this province. Lib. L. No. 5.

CHAP. XVI.

An ACT for the relief of Chriſtopher Gardiner, a languiſhing priſoner in Baltimore cou Lib. L. No. 5. fol. 284. A Private Act.

CHAP. XVII.

An ACT againſt engroſſers and regrators. Lib. L. No. 5. fol. 289. Repealed 1735, ch.

CHAP. XVIII.

An ACT to aid the proceedings of ſome of the county courts within this province. Lib. fol. 291.

CHAP. XIX.

An ACT for raiſing a duty of three-pence per hogſhead on all tobacco exported out of this for the uſes therein mentioned. Lib. L. No. 5. fol. 292. Expired 29th September, 17

CHAP. XX.

An ACT providing what ſhall be good evidence to prove and other debts, and to prevent vexatious and unneceſſary law, pleading diſcounts in bar, and for repealing an act of bly therein mentioned. Lib. L. No. 5. fol. 294.

Exemplification ſhall be evidence, &c.

BE IT ENACTED, *by the right honourable the Lord Proprietary, by and with the advice and co lordſhip's Governor, and the Upper and Lower Houſes of Aſſembly, and the authority of the ſa* all debts of record, whether by judgment, recognizance, deed enrolled and upon record, plification thereof under the ſeals of the courts where the ſaid judgment was given, or was ſhall be a ſufficient evidence to prove the ſame; and that all other debts, by bonds, bills, or otherwiſe, that ſhall, from and after the publication hereof, be ſent hither to be put in any perſon whatſoever, living or reſiding within this province, ſhall be proved by the oat witneſſes thereto, or any of them, before ſome magiſtrate, in the preſence of a notary pu ſhall atteſt, that the oath or oaths was or were ſo taken, and that the perſon before whom it ſhall be taken, ſhall then be a magiſtrate, or other officer lawfully authoriſed thereto, of or place whereſoever it ſhall happen the ſaid bonds or bills ſhall be ſent from, at which before which public notary, or other public officer, ſhall be preſent the creditors, who likewiſe, before ſuch magiſtrate, or other public officer of the place ſo authoriſed, upon hi oath, declare, "that the ſaid debt, or any part thereof (ſaving what the ſaid creditor g for,) is not ſatisfied, or that there are not any other accounts between the ſaid creditor a for which the ſaid creditor may be likewiſe indebted to the ſaid debtor to the value of the or any part thereof, for any matter or thing accrued ſince the date of the ſaid bond, bill ment, or whether the ſaid creditor hath not given the ſaid debtor any releaſe for the ſam ſent, together with the proofs, from under the hands and ſeals of the ſaid magiſtrate and tary, or other public officer thereunto appointed, which, if the creditor ſhall refuſe or neg form or do, then the ſaid matter or thing, by the ſaid public notary, or other officer, certified as aforeſaid, ſhall not be received as evidence to prove the ſaid debt; and if the tor be dead, and his executor or adminiſtrator ſhall ſue any debtor upon any ſuch bond, count, the executor or adminiſtrator, in like manner, before ſuch magiſtrate, to be atteſted ſaid, or other officer for that purpoſe appointed, ſhall ſet forth and declare, upon

CHAP. XX.

or no they have not heard the creditor in his life-time acknowledge that debt, or any and hereof, to be ſatisfied, or whether or not (upon ſight of the creditor's books, writing or they have not ſeen credit given to the debtor ſince the day of the making the ſaid bills, beginnings of the accounts ſo ſued for;" all which, in like manner, is to be certified by notary, or other officer thereunto appointed, under his hand and ſeal, to be ſent to this ogether with the teſtimony of the witneſſes, or any of them, that have teſtified to the ſaid s, accounts, or otherwiſe, all which, if the ſaid executor or adminiſtrator refuſe or neglect the ſaid matter and thing, by the public notary, or other officer appointed, as aforeſaid hall not be received in evidence for valid againſt the debtor.

Attorney to give ſecurity.

BE IT ENACTED, *by the authority aforeſaid*, That all and every the attorney and attornies, e employed in the proſecution of ſuch ſuit, ſhall put in ſecurity to pay the defendant all nd charges as ſhall be by the defendant in that caſe expended, in caſe the plaintiff be caſt

No book debt, &c. to be ſued, &c.

D, to the end no honeſt debtor that hath not fled from the place or country where he con- debt, nor wilfully abſconded himſelf, or fled from juſtice, ſhall be ſurpriſed by unneceſſa- xatious ſuits at law, BE IT ENACTED, *by the authority, advice and conſent aforeſaid*, That no tſoever, reſiding or trading in or to this province, their executors, adminiſtrators, agents, aſſigns, ſhall, for any ſum or ſums of tobacco or money due and owing to him by account or otherwiſe, (and for which the debtor hath not paſſed his hand and ſeal to ſuch his ſue and implead ſuch debtor, his executors or adminiſtrators, in any court of record within ce, unleſs he ſhall firſt demand and require the ſame of ſuch debtor's proper perſon, or at the habitation or place of reſidence of the ſaid debtor, in the county where he ſhall prove which demand, the creditor's or demandant's own oath ſhall be ſufficient; and if the not at home to be ſpoke with, then ſuch demandant ſhall leave a note, under the hand of tor or demandant, or thoſe he ſhall empower to receive the ſame, with the time, and to ſame ſhall be paid, and if thereupon the ſame be not paid accordingly, then it ſhall and wful for ſuch creditor to ſue and implead ſuch his debtor, and recover againſt him all ſuch amages, as upon legal trial in any court of this province, having cognizance of the cauſe, judged as before the making this act.

Creditor ſuing, &c. to loſe his coſts, &c.

R, in caſe any perſon or perſons ſhall ſue and implead ſuch his debtor as aforeſaid without mand as aforeſaid, and the debtor plead that the debt was never demanded, by ſuch plea ſhall be taken to admit the plaintiff's declaration to be good, and ſhall only put the de- ſue, which iſſue, if the plaintiff do not join, then the plaintiff ſhall be taken to have made , and ſhall only have judgment for his damages, and ſhall loſe all his own coſts; and if the in in iſſue upon the demand, and it be found againſt him, then the plaintiff ſhall loſe his and pay coſts of ſuch trial to the defendant; yet the ſaid plaintiff ſhall have judgment to debt or damages for which he ſues, or for ſo much thereof as appears due upon balance.

Account pleaded ſhall be diſcounted, &c.

BE IT FURTHER ENACTED, That if any debtor or debtors be ſued by any creditor or cre- any ſum or ſums of money or tobacco due upon the debtor's aſſumption, or due by bill or r the hand and ſeal of the ſaid debtor, and the debtor confeſs the aſſumption, or ſuch part he ſhall think fit to plead diſcount to, and acknowledge his act or deed, but ſaith further, h an account of his own againſt the creditor, that hath ariſen due to the debtor ſince the h bill or bond, or after ſuch aſſumption as aforeſaid, which he deſires may be diſcounted, e any account proved according to the directions of this act, and lodged or filed in court, e upon the general iſſue, it ſhall and may be lawful for the juſtices before whom ſuch mat- depending, upon good proof made of ſuch account, to cauſe the ſame (although of a leſs nature,) to be diſcounted in court, and give judgment thereupon againſt the defendant for ly as ſhall be remaining to the plaintiff, with coſt of ſuit, provided the balance exceed ed pounds of tobacco, or three and thirty ſhillings and four-pence, in the county court, hundred pounds of tobacco, or ſix pounds five ſhillings ſterling, in the provincial court, he plaintiff ſhall be nonſuited, as by other laws are provided.

Proviſo.

VIDED NEVERTHELESS, That nothing in this act contained ſhall be conſtrued to give the cial court any other juriſdiction than what is agreeable to the act of aſſembly for relieving ants of this province from ſome aggrievances in the proſecution of ſuits at law, any thing tained to the contrary notwithſtanding.

CHAP. XX.

What ſhall be evidence, &c.

VII. And, for the further declaration of what ſhall be taken and allowed for evidence ſuch bills or bonds, Be it enacted, That the oath of one or more of the perſons that ſ as witneſſes to ſuch bill or bond, made before one juſtice of the provincial or county cou province, in their reſpective counties, or any other legal evidence, ſhall be evidence to p debts in the provincial and county courts of this province.

Proviſo.

VIII. Provided nevertheleſs, That if the defendant will traverſe ſuch proof, and pu the country for trial, it ſhall be allowed him ſo to do.

Account ſhall be evidence, &c.

IX. And be it enacted, *by the authority aforeſaid*, That an account of money, tobacco goods, lent or due, and chargeable for goods ſold, work done, or other things properly charg account, which ſhall ariſe due after the tenth day of March next enſuing, and ſhall be ſwor creditor, (or affirmed if a quaker,) "to be juſt and true," before one provincial or county and "that he or ſhe hath not, directly or indirectly, received (to his or her knowledge,) an parcel of the money, tobacco or other goods, charged as due by ſuch account, or any ſecuri tisfaction for the ſame, more than credit ſhall be given for," ſhall be received as good evi any court of record within this province, upon any trial, or in any diſpute before a ſingle m concerning a ſmall debt determinable by him, unleſs the creditor or defendant ſhall make a lawful evidence, other than his or her own oath, or affirmation, that ſuch account is falſe or in the whole.

Defendant may prove an account, &c.

X. And be it likewiſe enacted, That it ſhall and may be lawful for any debtor or de in his defence, to prove an account by oath or affirmation to be juſt and true, of goods deli ſold, work done, money paid or delivered to the plaintiff or creditor towards ſatisfactio whole, or part of the debt due to ſuch plaintiff or creditor, or received by ſuch plaintiff or to the defendant or debtor's uſe, after the ſaid tenth day of March aforeſaid, which have ſhall be ſo delivered, paid or received, and for which no credit is or ſhall be given to the or debtor, which the court before whom the trial ſhall be ſhall adjudge to be diſcounted o plaintiff's or creditor's account, or other demand, unleſs the plaintiff or creditor can prove or ſome part thereof, to be falſe, by legal evidence as aforeſaid.

Proviſo.

XI. Provided always, That the particulars of all ſuch accounts ſhall be delivered, a the creditor to the debtor as by the debtor to the creditor, within ten days after the ſeveral ſpective articles ſhall become due, to the debtor or creditor who ſhall require the ſame; and ſaid accounts ſhall be proved within twelve months after the firſt article therein charged ſhall due, and not otherwiſe.

Accounts proved to be filed, &c.

XII. And, to prevent either plaintiff or defendant being ſurpriſed, Be it enacted, Th counts which the plaintiff ſhall prove, either by his or her own oath or affirmation only, wiſe, ſhall be filed with the declaration; and that all accounts which the defendant ſha either by his or her own oath or affirmation only, or otherwiſe, in his or her defence, ſhall with the ſeveral clerks ten days at the leaſt before the trial court, otherwiſe the account w be omitted to be ſo filed ſhall not be received in evidence, except that where declaration ſent with the writs, in order for trial the firſt court, the defendant who ſhall inſiſt on any ac his or her defence as aforeſaid, ſhall deliver or ſend a copy of ſuch account to the clerk th of the court, who ſhall receive and file the ſame.

An act repealed.

XIII. And be it further enacted, That an act entitled, An act providing what ſha evidence to prove foreign and other debts, and to prevent vexatious and unneceſſary ſuit pleading diſcounts in bar, ſhall be and is hereby repealed and abrogated.

Proviſo.

XIV. Provided nevertheleſs, That it ſhall and may be lawful for any perſon to prove count of goods ſold, money lent, work done, or other matters or articles properly charge count, which became due at any time heretofore, or ſhall become due before the tenth day next, according to the directions of the ſaid act, ſo as all ſuch accounts ſhall be proved as at or before the thirtieth day of Auguſt, which ſhall be in the year of our Lord one thou hundred and thirty, the repeal of the ſaid act, or any thing in this act to the contrary ſtanding.

Falſe ſwearing to be puniſhed.

XV. And be it further enacted, That any perſon who ſhall wittingly and adviſedly affirm falſely to any account before any provincial or county juſtice, and ſhall be thereof la

feſſion or verdict, ſhall ſuffer the ſame pains and penalties as in caſe of corrupt and wilful CHAP. XX.

was repealed by 1785, ch. 46, except the clauſe which repealed the act of 1715, ch. 29, provided that all debts and efore proved agreeably to this act, or which might be ſo proved on or before the firſt of November *then* next, viz. ld be good and ſufficient as if this law had not been repealed; and that all accounts for any ſum not exceeding thirty rent money in one year, and proved agreeably to this act, might be given in evidence as before the paſſing this act, till e firſt, 1789, and that after that time any account not exceeding ten pounds in any year, might be ſo proved and re- that as to ſuch accounts it is ſtill in force.

CHAP. XXI.

for the preſervation of the breed of wild deer. Lib. L. No. 5. fol. 301. Repealed 1730, Paſſed 8th of Auguſt, 1729.

CHAP. XXII.

reviving and continuing an act, entitled, * An act to reſtrain the ill practices of attornies, * 1725, ch. 22. prevent their taking money fees, and aſcertaining what fees ſhall be allowed to the prac- s in the law who ſhall attend the circuit courts, made at a ſeſſion of aſſembly, begun and the city of Annapolis the 15th day of March, *anno domini* 1725. Lib. L. No. 5. fol. 302.

CHAP. XXIII.

for the relief of Thomas Worſley, Hezekiah Clarke and Benjamin Freeman, priſoners in Arundel county gaol. Lib. L. No. 5. fol. 303. A Private Act.

CHAP. XXIV.

ditional and ſupplementary act to the ſeveral acts for the admi- ation of juſtice in teſtamentary affairs. Lib. L. No. 5. fol. 305.

An explanatory act 1735, ch. 17.

REAS it is neceſſary, as well to explain ſeveral doubtful clauſes in the acts heretofore Preamble. ade for the adminiſtration of juſtice in teſtamentary affairs, as to make additions to ſupply cts therein;

IT THEREFORE ENACTED, *by the right honourable the Lord Proprietary, by and with the advice and his lordſhip's Governor, and the Upper and Lower Houſes of Aſſembly, and the authority of the ſame,* No ſlave to be ſold, &c. negro, or other ſlave, ſhall be ſold by any executor or adminiſtrator, or reſerved for his or ſe, for the payment of any debt due or owing to any executor or adminiſtrator, nor ſhall , or other ſlave, be taken in execution for any debt due from any teſtator or inteſtate, ſo ere ſhall be other goods, which were of ſuch teſtator or inteſtate, ſufficient to ſatisfy ſuch the executor or adminiſtrator ſhewing ſuch other goods, which the ſheriff or other officer required to demand.

ND BE IT FURTHER ENACTED, *by the authority, advice and conſent aforeſaid,* That the juſtices Juſtices to in- veral county courts ſhall, every court, as well by giving the ſame in charge to the grand quire, &c. by ſuch other ways and means as the truth may be beſt diſcovered, inquire "whether any or adminiſtrator hath received and not accounted for any debts due to the deceaſed, or ne- omitted to receive or recover any debt or debts ſo due," and to call ſuch executors or ad- rs before them; and if, upon examination and hearing of ſuch executor or adminiſtrator in own defence, it ſhall ſufficiently appear that ſuch executor or adminiſtrator hath received, ccounted for, or neglected to receive or recover any ſuch debt or debts, that the juſtices their clerk to enter the particulars thereof on record, which ſhall be allowed and received e in any ſuit to be commenced by the guardian, during the minority of the orphan, or by n at full age, or by any creditor againſt the executor or adminiſtrator, or by the ward againſt an.

D BE IT FURTHER ENACTED, That the commiſſary-general ſhall be obliged to ſend liſts of Liſts to be ſent. e and deſperate debts to the county courts, in the ſame manner as balances are already di- be tranſmitted, the better to enable the county juſtices to make the inquiries required by be made.

BE IT ENACTED, That the juſtices of aſſize ſhall give it in charge to the reſpective grand Duty of juſ- inquire "whether the juſtices of the county courts duly execute what is required of them tices. d other acts relating to teſtamentary affairs, &c."

CHAP. XXIV.

Courts may require new security, &c.

VI. AND BE IT FURTHER ENACTED, When and as often as the juſtices of the county c find it neceſſary to oblige any guardian, or other perſon in poſſeſſion of any orphan's eſtate new or better ſecurity for ſuch eſtate, that in caſe of refuſal to comply with their order th ſhall and may be lawful for the ſaid juſtices, and they are hereby required, immediately t the perſon and eſtate of ſuch orphan into other hands; and in caſe the guardian, or other aforeſaid, ſhall not obey ſuch order of removal, that then and in ſuch caſes the ſaid juſtices may iſſue attachment or other proceſs againſt ſuch guardian, or other perſon, to anſwer contempt, and to commit him or her to priſon, there to remain until the order of the ſa ſhall be fully complied with; and that when and as often as it ſhall appear to the juſtices of ty courts that the guardians of orphans, and ſureties for their eſtates, are inſolvent, and tha ſons will undertake the guardianſhip of ſuch orphans, and give ſecurity for their eſtates, it may be lawful for the ſaid juſtices, and they are hereby empowered and required, to tak eſtates into their own hands, to ſell and diſpoſe thereof, (except negroes and plate,) for price they can, and alſo to diſpoſe of the money and tobacco ariſing by ſuch ſale, and th and plate, to the orphan's beſt advantage, and to take good ſecurity for the ſame, and alſo any lands or tenements that ſhall belong to any ſuch orphan.

N. B. County courts are inveſted with the ſame powers in regard to guardians choſen by orphans, by 1752, ch. 3.

Perſons treſpaſſing to pay, &c.

VII. AND, whereas ſeveral perſons, not being guardians, have got into the poſſeſſion of longing to orphans, and demiſed or occupied the ſame, and received the profits thereof, ENACTED, That it ſhall not be lawful for any perſon whatſoever, not being guardian, or licence from a guardian, to enter into, poſſeſs or occupy, any lands or tenements belong orphan or orphans, without firſt applying to the county court, and obtaining leave from ſuch rents as they ſhall think juſt and reaſonable to be paid to ſuch orphan or orphans, being treſpaſſers, and paying treble damages, and full coſt to ſuch orphan or orphans, to be ed by the guardian during the orphan's minority, or by the orphan when at full age.

Guardians to account, &c.

VIII. AND BE IT LIKEWISE ENACTED AND DECLARED, That guardians ought to render a to their wards of the ſurplus of the profits of their real eſtates, beyond what ſhall be neceſ pended in the maintenance and education of ſuch ward, and to ſecure the ſame, as this a other parts of orphans eſtates to be ſecured.

If convict of waſte, to give ſecurity, &c.

IX. AND BE IT FURTHER ENACTED, That when and as often as any county court ſha preſentment of any grand jury or otherwiſe, be informed of any waſte being done by any upon any orphan's eſtate, to iſſue their warrant to cauſe ſuch guardian to appear before t if, upon the ſaid guardian's appearance before them, and being heard in his or her defence, to appear, being ſummoned, ſuch information ſhall appear to be true, the ſaid juſtices ſhall ſheriff, with all poſſible ſpeed, to ſummon a jury upon the place where the waſte ſhall be co to inquire upon their oath into the ſame, and of what damage ſuch waſte ſhall be to ſuch which being returned to the ſaid juſtices, they are hereby required to oblige the guardian curity for double the damages that ſhall be aſſeſſed by ſuch jury, and in caſe of refuſal to co guardian to priſon, there to remain until he or ſhe will comply with their order therein.

In caſe of a deviſe of perſonal eſtate, wife to make her election, &c.

X. AND, whereas ſome doubts have ariſen concerning the rights of widows to the real and eſtates of their deceaſed huſbands; for avoiding all ſuch doubts, BE IT ENACTED, *by the aforeſaid, by and with the advice and conſent aforeſaid*, That in ſuch caſe, where the teſtator be deviſes a conſiderable part of his perſonal eſtate to his wife, and it appears not in any will or codicil that he intended the ſaid deviſe as a legacy only to his wife, and that ſhe mig theleſs, have a third part of his remaining eſtate, it ſhall be at the election of ſuch wife, relict, within forty days after the probat of ſuch will, to make her election before the judg bat of wills, or the reſpective deputy-commiſſaries in each reſpective county, whether ſhe content with ſuch deviſe, or will have her thirds, and releaſe the deviſe, and if ſhe mak to have what is ſo bequeathed or deviſed to her, then, by that choice, ſhe ſhall be for ev from claiming her third part aforeſaid, and if ſhe renounce what is ſo bequeathed and de ſhall then have her third part aforeſaid, and be barred of her deviſe, but ſhall not claim both; but in caſe ſuch widow ſhall neglect to make ſuch election within the time aforeſaid, then be concluded by what ſhall be bequeathed to her by her huſband, and ſhall not have any more of his perſonal eſtate than ſhall be ſo bequeathed; provided always, that ſuch p perſonal eſtate or eſtates ſo bequeathed ſhall be liable to pay the debts of the deceaſed, as of the eſtate is or ought to be.

N. B. By this clauſe an alteration is made in 1715, ch. 39, ſection 35.

ND, If ſuch wife or relict have any part of her huſband's lands or real eſtate of inheritance- CHAP. XXIV.
o her by her huſband, and that it do not appear by any part of the will, that he intended And alſo in caſe of a deviſe of real eſtate.
a part of his real eſtate aforeſaid, and her dower out of the reſt of his real eſtate beſides,
hall be lawful for ſuch widow, or relict, to make her election as aforeſaid, within the time
whether ſhe will accept of ſuch deviſe, or the third part of all her huſband's real eſtate,
ſhe is endowable, and if ſhe accept of her deviſe, ſhe ſhall be for ever debarred of her dow-
the reſt of the teſtator's real eſtate, and if ſhe accept of her dower, then ſuch acceptance
djudged a full recompence of her deviſe aforeſaid; but in caſe ſhe ſhall neglect to make ſuch
within the time aforeſaid, ſhe ſhall then, by ſuch neglect, be concluded by what is deviſed
nd ſhall be thereby barred of her dower of ſuch deceaſed's real eſtate, unleſs it ſhall appear
deſign of the deviſor that ſuch widow ſhall have both deviſe and dower, any law, ſtatute,
cuſtom to the contrary notwithſtanding.

N. B. This clauſe is the ſame with 1715, ch 39, ſection 36.

AND BE IT ENACTED, That where any perſon being a proteſtant, who ſhall die and leave a Courts may, on application, remove children, &c.
nd children, and ſuch widow ſhall intermarry with a papiſt, or be herſelf a papiſt, that it
may be lawful for the juſtices of the county courts, upon application, to remove ſuch child
en out of the cuſtody of their mother, and place him, her or them, where he, ſhe or they,
ecurely educated in the proteſtant religion, and to allow the intereſt of ſuch orphan's eſtate,
part thereof as may be neceſſary for his, her or their ſupport; and that the like care be
t all children, whoſe fathers died in, or profeſſed themſelves to be of, the communion of the
f England, be educated and inſtructed in the doctrine and principles of that church.

This ſection is repealed by 1798, ch. 66.

PROVIDED ALWAYS, That any perſon who ſhall think him or herſelf aggrieved by the juſtices Proviſo.
ounty court in the premiſes, may appeal to the governor and council, who may hear and
etermine the ſame.

This ſection is repealed by 1798, ch. 66.

AND BE IT FURTHER ENACTED, *by the advice, conſent, and authority aforeſaid*, That the com- Commiſſary to ſend liſts, &c.
eneral ſhall be obliged to ſend the liſts of the names and ſurnames of ſureties, with
aces of abode, to the ſeveral county courts, with the accounts or balances required to be
ted by the act, entitled, An act for the better adminiſtration of juſtice in teſtamentary affairs,
adminiſtrations, recovery of legacies, ſecuring filial portions, and diſtribution of inteſtates

AND BE IT FURTHER ENACTED, *by the authority aforeſaid*, That executors or adminiſtrators What preference ſhall be given, &c.
oceed in the payment of debts in the ſame manner as they have been and are obliged by the
mentioned act, entitled, An act for the better adminiſtration of juſtice in teſtamentary af-
. without any other preference to debts due to his ſacred majeſty, his heirs or ſucceſſors, or
rd proprietary, his heirs or ſucceſſors, than to ſuch debts as are or ſhall be due to his ſacred
his heirs or ſucceſſors, or to the lord proprietary, his heirs or ſucceſſors, for the proper uſe
eſit of them, or either of them, any law, ſtatute, uſage or cuſtom to the contrary notwith-

AND, whereas by the laws of England the age is not allowed to any but the heir at law, and
s to this general aſſembly that children, other than the heir at law, are within the ſame rea-
the allowing thereof here will be advantageous to minors, BE IT ENACTED, *by the authority* Minors not obliged to anſwer, &c.
That all perſons under the age of twenty-one years, who ſhall hereafter be entitled to any
enements or hereditaments, by purchaſe, ſhall not be obliged, during their minority, to an-
ſuit or ejectment in relation to the ſaid lands, tenements, hereditaments, any more or other-
n they would be if ſuch lands, tenements or hereditaments, became their right by deſcent.

AND BE IT FURTHER ENACTED, *by the authority aforeſaid*, That every adminiſtrator obliged by Adminiſtrator to pay the balance, &c.
entitled, An act for the application of ſuch inteſtates eſtates as leave no legal repreſenta-
. to pay the balance of the eſtate to one of the public treaſurers, ſhall hereafter be obliged
nd ſatisfy the balance of ſuch eſtate to the viſitors of the public ſchool of the county where
eaſed reſided, in the ſame manner as ſuch adminiſtrator ſhould have been obliged by law to
ſame to any legal repreſentative in caſe any ſuch ſhould have appeared, to be applied to the
uch ſchool; ſave that by the acts now in force, ſundry particulars of the goods and chattels
ted to be paid in ſpecie, according to appraiſement, to the legal repreſentatives, in this caſe,
ſuch

CHAP. XXIV.

ſuch adminiſtrator ſhall pay the ſaid balance of ſuch eſtate in current money, or in ſpecie, at the rection of the viſitors, for the payment whereof, if in current money, he ſhall be allowed ten *cent.* if in ſpecie, five *per cent.* and no more.

Proviſo.

XVIII. PROVIDED, That in caſe ſuch adminiſtrator be of kin to the deceaſed, within the degree of either conſanguinity or affinity, then ſuch adminiſtrator, and all others that are as nea related to the deceaſed as ſuch adminiſtrator, ſhall have as good a right to ſuch reſidue as if he they were brothers or ſiſters children to the deceaſed, and ſuch balance ſhall be diſtributed accordingly.

Proviſo.

XIX. PROVIDED NEVERTHELESS, That in caſe there be a widow, no collaterals ſhall be admitt other than theſe directed by this act, but ſuch widow ſhall have the whole reſidue of ſuch eſtate, thing herein before contained to the contrary thereof notwithſtanding.

Proviſo.

XX. PROVIDED NEVERTHELESS, AND BE IT ENACTED, *by the authority, advice and conſent afore* That in caſe ſuch reſidue ſhall happen to be paid to ſuch viſitors as aforeſaid, in default of legal preſentatives as aforeſaid, and that any legal repreſentatives of no remoter degrees amongſt co terals than brothers or ſiſters children, ſhall at any time appear, and prove him, her or themſel to be ſuch legal repreſentatives, that then the viſitors that received the reſidue of ſuch eſtate, their ſucceſſors, if it ſhall be in their hands, ſhall reſtore the ſame to ſuch legal repreſentative or preſentatives; and if ſuch reſidue ſhall be actually applied to the uſe and ſupport of the public ſch that then the public ſtock of ſuch ſchool, in the hands of the public treaſurers of this province, either of them, ſhall be liable to make ſatisfaction to ſuch repreſentative or repreſentatives, of ſ reſidue, and that the ſaid viſitors ſhall give an order to ſuch repreſentative or repreſentatives for ſame, on the public treaſurers, who ſhall be obliged, by virtue of this act and ſuch order, to pay ſame out of the public ſtock of ſuch ſchool, if ſo much in their hands, if not, ſo much as ſhall be their hands, and the reſidue when they ſhall receive ſo much to the uſe of ſuch ſchool; and if adminiſtrator ſhall be obliged to pay any further debt or duties that were due from the deceaſed, legal repreſentative receiving the ſaid reſidue ſhall refund to ſuch adminiſtrator the value of w ſuch adminiſtrator ſhall be obliged to pay as aforeſaid, provided the ſame doth not exceed the reſi received by ſuch repreſentative, any thing in the ſaid act for the application of ſuch intere eſtates, &c. to the contrary in anywiſe notwithſtanding.

Actions, when to be commenced.

XXI. AND, foraſmuch as diſputes have ariſen whether the act of limitation extends unto actio brought upon teſtamentary and adminiſtration bonds, BE IT FURTHER ENACTED, *by the authority, vice and conſent aforeſaid*, That all actions upon adminiſtration and teſtamentary bonds ſhall be co menced within twelve years after the paſſing of the ſaid bonds, and not after.

Proviſo.

XXII. PROVIDED ALWAYS, That nothing in this act ſhall be conſtrued to bar any perſon with the age of twenty-one years, *feme-covert*, *non compos mentis*, or impriſoned, or perſons beyond ſe from bringing an action or actions within ſix years after their coming to or being of full age, un vert, ſound memory, at large, or returned from beyond ſeas, upon any adminiſtration or teſtamenta bond.

Courts may oblige executors to give counter ſecurity, &c.

XXIII. AND BE IT FURTHER ENACTED, *by the authority, advice and conſent aforeſaid*, That the ſ veral county courts of this province ſhall, and are hereby empowered and required, as often as t ſureties, or any of them, or their or any of their legal repreſentatives, on any adminiſtration teſtamentary bond or bonds, paſſed for any guardian, ſhall petition ſaid court for counter ſecurity, keep him, her or them, indemnified from ſuch bonds, and make appear to the ſatisfaction of ſu court, that he, ſhe or they, is or are in danger of ſuffering thereby, to cauſe the ſaid executors, miniſtrators or guardians, to give the ſaid petitioner or petitioners ſufficient counter ſecurity, indemnify him, her or them, from ſuch bonds; and in caſe the ſaid executors, adminiſtrators guardians, ſhall refuſe or neglect to do the ſame, to cauſe attachment againſt his, her or their bodie to be iſſued, to compel him, her or them thereto; and in caſe ſuch executor, adminiſtrator or guard an, ſhall not be able, or ſhall refuſe or neglect to give ſuch ſecurity, it ſhall and may be lawful ſuch county court, and they are hereby required, to order ſuch eſtate, or ſuch part thereof as ſha be left in the hands of the ſaid executor, adminiſtrator or guardian, to be delivered into the han of the ſaid ſureties, or their or either of their legal repreſentatives, who are hereby empowered, proceſs of attachment or diſtreſs, to be iſſued out of the ſaid court, to take and poſſeſs themſelves the ſame, and on receipt thereof, ſhall be obliged to return an account of what they ſhall ſo recei to the ſaid county court, appraiſed upon oath, by two indifferent perſons to be appointed by the ſa court

and the ſaid executor, adminiſtrator or guardian, ſhall be diſcharged of ſo much as the ſaid s, or their or either of their legal repreſentatives ſhall receive, by virtue of ſuch order or s. CHAP. XXIV.

s act is inſerted at large, but ſeveral of the proviſions which it contains have been altered by the act to eſtabliſh orphans , the act of 1785, ch. 80, and 1798, ch. 101.

CHAP. XXV.

ACT to prevent rigorous proſecutions on ſheriffs, teſtamentary, dminiſtration and deputy-commiſſaries bonds. Lib. L. No. 5. ol. 315.

Paſſed 8th of Auguſt, 1729.

HEREAS it is repreſented to this general aſſembly, that ſheriffs and teſtamentary bonds are frequently put in ſuit in the provincial court, and that the perſons cauſing ſuch bonds to be upon their obtaining judgments, frequently iſſue executions for the whole penalties contained h bonds, with direction to the ſheriff, or coroners, to releaſe the party executed, upon payment at the creditor alleges his demand to be: And whereas an act of parliament, made the eighth inth years of king William the third, entitled, An act for the better preventing frivolous and ous ſuits, does not fully provide for the evils complained of; Preamble.

BE IT ENACTED, *by the right honourable the Lord Proprietary, by and with the advice and conſent of dſhip's Governor, and the Upper and Lower Houſes of Aſſembly, and the authority of the ſame*, That l not be lawful for any perſon or perſons cauſing ſuch bonds to be ſued to proceed to judgment, he creditor or creditors clearly make appear to the court what his, her or their demand is or hich court may, and they are hereby empowered, upon the defendant's having notice given er or them, or notice left at the place of his, her or their laſt place of abode, twenty days be- e court in which the plaintiffs apply for ſuch debt or demand to be aſſeſſed, as alſo a copy of ature of his, her or their demand, atteſted by the clerk, to aſſeſs ſuch damages, or appoint rs to adjuſt ſuch demands, whereupon it ſhall be lawful for ſuch court to give judgment to ſuch or or creditors on ſuch bond in uſual manner, but that execution only iſſue for ſuch ſum as ſhall de appear to be due, unleſs the party at whoſe requeſt ſuch bond be ſued, or the defendant or dants applies to the court, praying a writ of inquiry, which, if either party prays, ſhall be iſſued court, to be proceeded in according to the directions of the aforeſaid act of parliament, and xecution iſſue for no more than found by the jury, with coſts, and intereſt till payment made or ed; and that where any ſuch bond is proceeded on to judgment, no other creditor ſhall come any part of the penalty, under pretence of any thing being due to ſuch creditor, without ſend- *ſcire facias* to be ſerved, which *ſcire facias* ſhall be ſued within eighteen months after ſuch re- y, and not after, on the defendant or defendants, in which *ſcire facias* ſhall be contained the e of ſuch creditor or creditors demand, and the ſum due. No perſon to proceed to judgment, &c.

AND BE IT FURTHER ENACTED, *by the authority aforeſaid, by and with the advice and conſent afore-* That all actions hereafter to be brought on ſheriffs bonds hereafter to be paſſed, ſhall be ſued ought within the ſpace of five years after the paſſing ſuch bond, and not afterwards; and all s hereafter to be brought on ſheriffs bonds, heretofore entered into, ſhall be brought and com- d within three years after the end of this preſent ſeſſion of aſſembly, and not afterwards. Actions, when to be brought.

PROVIDED, That this act, nor any thing herein contained, ſhall bar his ſacred majeſty, his and ſucceſſors, nor the right honourable the lord proprietary, his heirs and ſucceſſors, from in their own right, at any time; and, if any perſon entitled to ſue ſuch bond, ſhall be at the of any cauſe of action on ſuch bond under the age of one and twenty years, *feme-covert, non com- mis*, impriſoned, or beyond the ſea, that then ſuch perſon or perſons ſhall be at liberty to bring er or their action within the ſpace of five years after ſuch impediment removed, as other per- aving no ſuch impediment might or ſhould have done. Proviſo.

CHAP. XXVI.

pplementary act to the act, entitled, An * act to prevent the abuſes of concealing convicted ns and other offenders imported into this province, and for the better diſcovery of them. . L. No. 5. fol. 317. * 1728, ch. 23.

CHAP. XXVII.

CT empowering a committee to lay, aſſeſs and apportion the public levy for this preſent year, thouſand ſeven hundred and twenty-nine. Lib. L. No. 5. fol. 319.

At

At a SESSION of ASSEMBLY begun and held at the CITY ANNAPOLIS, in the county of Anne-Arundel, for the provi of Maryland, on the 21st day of May, in the 15th year of the minion of the right honourable CHARLES, abſolute Lord and P prietary of the provinces of Maryland and Avalon, Lord Baron Baltimore, &c. and ended the 16th of June following, in the teenth year of his lordſhip's dominion, *annoque domini* 1730, w enacted the following laws, viz.

BENEDICT LEONARD CALVERT, ESQUIRE, GOVERNOR.

CHAP. I.

Paſſed 16th of June, 1730. An ACT for aſcertaining the form of the oath of judge or juſtice. Lib. L. No. 5. fol. Diſſent.

CHAP. II.

An ACT altering the bounds of two acres of land, heretofore granted to Great Choptank p on which the chapel in Vienna now ſtands. Lib. L. No. 5. fol. 323.

N. B. By this act, (inſtead of the bounds ſettled by the act of 1727, ch. 9,) the bounds of the ſaid two acres are declar as follow, viz. Beginning at the N E. corner of the chapel aforeſaid, and running E. to William Ennalls's ditch, then W. twelve perches, then W. 38 N. twenty perches, then N. 38 E. ſixteen perches, then E. 38 S. twenty perches, to ditch, then bounding therewith till it interſects the aforeſaid eaſt line drawn from the ſaid chapel, containing two acres the veſtry to run the ſaid lines, and place one cedar poſt at each corner of the ſame, and enter the lines and plot in their book of the ſaid pariſh, and when ſo completed, the ſaid bounds to remain for the future the undoubted bounds of the ſa acres of land for ever.

CHAP. III.

An ACT to enable the high court of appeals to continue an appeal therein depending betwee ward Fotterel and Anne his wife, late Anne Lloyd, appellants, and David Robinſon and his wife, John Robinſon and Grace his wife, and Rebecca Tibbles, defendants. Lib. L. fol. 325. A Private Act.

CHAP. IV.

An ACT for the relief of James Peerman, a priſoner in Anne-Arundel county gaol. L No. 5. fol. 326. A Private Act.

CHAP. V.

* 1728, ch. 16. A Supplementary act to the act, entitled, * An act for the laying out of land, and erecting a in St. Mary's county, at a place formerly called Seymour's-town. Lib. L. No. 5. fol. 328.

N. B. By this act, 1. Thomas Spalding, junior, the owner of the land, was permitted to uſe the lots not taken up not to remove any of the boundary poſts. 2. It appearing that part of one acre of land, whereon the court-houſe of St. county now ſtands, was heretofore given by Philip Lynes, Eſquire, deceaſed, to the juſtices of the county for that purp through negligence of the clerk doth not appear upon record, though three of the bound-poſts are now ſtanding, and the the other well known, the ſaid land, contained within the ſaid bounds, is hereby veſted in the juſtices, &c. to the uſe ſaid county for ever. 3. The ſurveyor to make a fair plot of Leonard-town, which ſhall be ſubſcribed by the commiſſione by them returned to the county clerk, and by him be entered among the land records of the ſaid county. 4. The origin 1728, ch. 16, not having mentioned what eſtate the takers up of lots ſhall have in the ſame, it is hereby enacted, that all who already have taken up, or that ſhall hereafter take up and pay for any of the ſaid lots, and in all things comply directions of the aforeſaid act, ſhall have and enjoy an eſtate in fee-ſimple in the lots ſo by them taken up, paid for, upon. 5. Poſſeſſors of lots to pay to the right honourable the lord proprietor, and his heirs for ever, one penny currency *per annum* for each lot ſo taken up, &c.

CHAP. VI.

An ACT for the laying out of land, and erecting a town, at a place called Broxon's Point, in county. Lib. L. No. 5. fol. 331.

N. B. By this act, 1. Certain commiſſioners are empowered to purchaſe twenty acres of land about the midway of river, on the ſouth ſide thereof, at a place called Broxon's Point, in Cæcil county, and cauſe the ſame to be ſurveyed out for a town. 2. The commiſſioners to purchaſe the ſaid land by agreement, or valuation of a jury. 3. And cauſe to be laid out by the county ſurveyor into twenty equal lots, allowing convenient ſtreets, lanes, &c. and the lots to be diſtin ed by poſts towards the ſtreets, &c. and numbered from 1 to 20. 4. The owner of the land to have the firſt choice of provided he make choice in fifteen days, after which the remaining lots may be taken up by inhabitants of the county, to take up more than one lot during the firſt four months, and if not wholly taken up by the aforeſaid inhabitants w

hen any other perſons whatſoever to be at liberty to take up the ſame. 5. The ſum aſſeſſed by the jury, or agreed for by nmiſſioners as aforeſaid, ſhall be paid to the owners of the land by the perſons taking up lots, in proportion to their lots. ſons taking up lots ſhall build thereon, within 18 months after taking up, a houſe to cover 400 ſquare feet, excluſive of and, if a dwelling-houſe, no chimney to be made but of brick or ſtone, and all the houſes to be built on the edge of ſome lane or alley, and to front the ſame. 7. The commiſſioners to return an account of their proceedings, within ten days af- ing out the town, to the county clerk, and the ſurveyor likewiſe to return to the ſaid clerk a fair plot and certificate of the which proceedings, plot and certificate, ſhall be by the clerk entered among the land records of the county, and the originals d kept in his office. 8. Perſons thinking fit to take up lots ſhall apply to the county clerk, who ſhall enter in the ſaid re- he name of the perſon applying, the date, and number of the lots by them taken up, and the perſons cauſing ſuch entry nade, and building on ſuch lots as directed by this act, ſhall be veſted with a ſure and indefeaſible eſtate of inheritance in ple, of, in and to ſuch lots, &c. 9. Perſons neglecting to build as before directed ſhall entirely loſe all their right, title, ſuch lots ſo not built on, and any other perſon may take up ſuch lots, making ſuch entry as by this act directed, and pay- the commiſſioners, or perſon by them appointed, the ſum originally aſſeſſed thereon, for the uſe and benefit of the town, ch ſecond takers up, by virtue of ſuch entry and payment, and building thereon as before directed, within 18 months from econd entry, ſhall be veſted with the ſame eſtate therein as is by this act ſettled on the firſt taker up. 10. If any lot remain en up in ſeven years from the laying out ſuch town, then ſhall the owner of the land be poſſeſſed and intereſted therein as firſt and former eſtate. 11. The town to be called Cæcil-town. 12. Saving to the crown, the lord proprietor, all bodies and corporate, and all others not herein mentioned, their ſeveral rights. 13. Poſſeſſors of lots to pay yearly to his lord- agent one penny current money for each lot, &c.

CHAP. VII.

CT for improving the ſtaple of tobacco, and for continuing part of an (a) act aſcertaining the e and tare of tobacco hogſheads, and to prevent cropping, cutting and defacing tobacco taken oard ſhips or veſſels upon freight, and for laying impoſitions on tobacco per the hogſhead for ſupport of government, and for the encouraging ſettlements in this province, by aſcertaining manner of paying his lordſhip's alienation fines and quit-rents for the term therein propoſed, for the taking off the three-pence per hogſhead formerly raiſed for the public charge. Lib. L. 5. fol. 335. Expired 31ſt March, 1732. Paſſed 16th of June, 1730.

1717, ch. 7, hereby continued in part till the 29th September, 1732.

n parts of this act as related to the reſtraining the number of tobacco plants to be planted, &c. were to continue in force till th September, 1731, and ſuch other clauſes as related to payment of one fourth part of certain public dues in grain, were tinue in force till the 31ſt March, 1732.

CHAP. VIII.

CT to enrol and record an indenture between Matthias Vanbebber of the one part, and Tho- Bordley, Eſquire, of the other part. Lib. L. No. 5. fol. 351. A Private Act.

CHAP. IX.

CT for the building a church in Baltimore county, and in a town called Baltimore-town, in Paul's pariſh. Lib. L. No. 5. fol. 353.

B. The act of 1727, ch. 10, having empowered the veſtrymen and churchwardens to purchaſe one or more acres of land, ereon to build a pariſh church, in purſuance whereof, land was purchaſed but not built on, and the ſame being very incon- nt, the preſent act empowers the veſtrymen and churchwardens to purchaſe a lot in Baltimore-town, and to cauſe a church built thereon, which ſhall be the pariſh church of the ſaid pariſh, and be called St. Paul's church, and directs, that the to- to be raiſed by the afore-recited act be applied to the building a church in the town as aforeſaid.

CHAP. X.

pplementary act to the act, entitled, An act for the advancement of juſtice. Lib. L. No. 5. 355.

To continue in force as long as the original act of 1723, ch. 12, which expired in 1740.

CHAP. XI.

CT for the naturalization of John Hendrickſon, a native of Rotterdam, in Holland, now an bitant of Kent county, in Maryland, and John, Samuel, Rachel, Mary, Mildred, Margaret, rtha, Rebeckah, Hannah and Ruth, children of the aforeſaid John Hendrickſon. Lib. L. No. 5. 357. A Private Act.

CHAP. XII.

CT to confirm two deeds of ſale, the one from George Oldfield and Petronella his wife, and other from Richard Carr, ſon and heir at law to a certain John Carr, of Cæcil county, de- ed, to Caſparus Auguſtine Herman. Lib. L. No. 5. fol. 359. A Private Act.

CHAP. XIII.

CT to record a deed of bargain and ſale, made by Thomas Humphries, Eſquire, and Mary wife, to John Greſham, Eſquire. Lib. L. No. 5. fol. 360. A Private Act.

CHAP. XIV.

CT to cut off an entail of a tract of land called Marſhe's Seat, lying in Anne-Arundel county, to inveſt William Vernon with an eſtate in fee-ſimple in the ſaid tract of land, and to ſettle a cel of land, being part of three tracts of land called Happy Choice, Clarke's Groves, and The dition to Clarke's Groves, lying in Prince-George's county, on Thomas Knighton, and the heirs is body, in lieu thereof. Lib. L. No. 5. fol. 361. A Private Act.

CHAP. XV.

Passed 16th of June, 1730.

An ACT for laying out the town anew, commonly called Chester-town, in Kent county, and ascertaining the bounds thereof. Lib. L. No. 5. fol. 363.

N. B. This act, 1. Sets forth, that a town was formerly (viz. by the act of 1706, ch. 14,) laid out in Kent county, on ter river, commonly called Chester-town, or New-town, containing one hundred acres of land, the bounds whereof uncertain, and the improvement very much hindered, by reason that all the lots were not taken up and improved in 2. Appoints and empowers certain commissioners to survey and lay out the one hundred acres of land, as agreeable as ly may be to the original survey, when first laid out for a town. 3. The commissioners, with the assistance of a skilful sometime before the first November next, to meet at the town, and carefully survey and lay out the said one hundred 100 convenient lots, divided, marked and numbered from 1 to 100, with streets, lanes, &c. 4. The commissioners to survey to be made as near as possible to the original plan of the town, unless the lines by the said original survey make siderable variation or encroachment on the lots therein already improved and built upon, in which case, the commis make the same survey in such manner that the owners of such improved lots be not damnified in their improvements, up posts, &c. to settle and distinguish the same survey for ever. 5. The land so surveyed, &c. is hereby erected into a be called Chester-town. 6. The owners of lots formerly taken up, and not already built on, shall (within eighteen month such survey made, and a record thereof entered according to this act,) build on such lot or lots one house, to cover feet of ground, besides sheds; and any such owner refusing or neglecting to build as aforesaid, the right, title, &c. of such to such lot, at the expiration of the said eighteen months, shall cease and determine, and such lot shall become the pro the proprietor of the town land, in as ample manner as if the same had never been sold or conveyed. 7. But if the ow such lots be under age, or out of the province, at the time of such survey, &c. such owners have liberty to improve and &c. at any time within eighteen months after arriving at age, or returning into this province. 8. The commissioners to a clerk, to make fair record and entry of all their proceedings in a book, to whom the surveyor shall deliver a fair plot lots, &c. which clerk shall transmit to the clerk of Kent county the whole proceedings of the commissioners, together w said plot, to be lodged amongst the county records; and upon the decease, &c. of such clerk, the commissioners have po appoint another, as often as need shall require. 9. The commissioners empowered to agree with the owner of the said already taken up, for the price of the same, &c. in which case, when the lots are laid out, they shall set a price on each already taken up, which the taker up shall pay, but in case they cannot agree, they are empowered to cause the same to be by a jury, and the payment of such sum as such lot or lots shall, by the said jury be adjudged worth, to the proprietor a or a tender thereof by persons desirous to take up such lot or lots, and refusal by such proprietor, and such payment or ten refusal being duly proved by the oath of one or more lawful witness or witnesses, before two of the county justices, by th intending to take up the same, and an entry or record thereof made by the town clerk, and returned by him to be lodged w other proceedings in the county court office as aforesaid, shall give such person, paying or tendering as aforesaid, an a estate in fee-simple in such lot, such persons complying with the other requisites in this act mentioned. 10. There being tity of land left out in the original survey, between the town line that runs along the river side and the water, convenient warehouses on, the commissioners are empowered to lay out the breadth of 60 feet from the extremity of the lots next the along the river side, for a street, and to divide the strand, lying between the said street and the water, into convenient lo tinguishing them by certain numbers, always extending the town streets that lead to the river, through the same strand, water side, which lots, being built upon as before directed, within eighteen months after taking up the same, and paid tender of payment made as before provided, shall be the right, property and estate of such persons so taking up, improv paying, their heirs and assigns for ever. 11. All persons to have liberty to take up and enter lots in the said town for the twelve months after survey thereof, but in case all the lots should not be taken up within twelve months after the survey the proprietor shall be no way divested of his right to such lots so not taken up. 12. The proprietor of the land not take have the preference of taking up any five lots he shall think fit, so that he make his election within four days after the sur made. 13. All possessors of lots to pay the right honourable the lord proprietor one penny current money *per annum* for e so taken up, paid for, and built on, for ever; and the clerk of Kent county to transmit yearly to his lordship's agent an a of all lots taken up, &c.

CHAP. XVI.

* 1721, ch. 14.

A Supplementary act to the act, entitled, * An act to limit the continuance of actions in se courts within this province, and ascertaining the manner of taking the evidence of seafaring and for granting appeals from the chancery court to the governor and council. Lib. L. N fol. 369.

CHAP. XVII.

An ACT for the preservation of the breed of wild deer. Lib. No. 5. fol. 370.

Preamble.

WHEREAS it has been represented to this general assembly, that the species of deer ha late years been very much lessened, occasioned principally by the inhabitants shootin otherwise destroying them, during the time of the female deer being with young, and which practice, if not put a stop to, may in few years entirely destroy the species of deer, to the damage of the good people of this province; for prevention whereof, it is prayed that it m enacted,

Penalty on persons killing deer, &c.

II. AND BE IT ENACTED, *by the right honourable the Lord Proprietary, by and with the advice and c of his lordship's Governor, and the Upper and Lower Houses of Assembly, and the authority of the same,* it shall not nor may be lawful for any person or persons within this province, (the Indians in with us excepted,) from the end of this session of assembly to the last day of July this present and in every year afterwards between the first day of January and the last day of July, to ki deer, under the penalty of four hundred pounds of tobacco for every deer so killed, to be reco before a single magistrate, (as in cases of small debts,) by the oath of the informer, and to

the one half thereof to the uſe of the public ſchool of the county where ſuch offence ſhall be ...tted, the other half to the uſe of the perſon ſo informing. CHAP. XVII.

AND BE IT FURTHER ENACTED, *by the authority aforeſaid, by and with the advice and conſent afore-* ...hat any perſon in whoſe hands or cuſtody any deer's fleſh ſhall be found, that ſhall appear to ...been killed between the end of this preſent ſeſſion of aſſembly and the laſt day of July this ...t year, and in every year afterwards between the firſt day of January and the laſt day of July, ...e deemed, taken and adjudged to be, the killer of ſuch deer, and liable to the penalty afore- ...nleſs ſuch perſon make appear before a magiſtrate who it was that really killed the ſame, or ...whom ſuch perſon or perſons thereof poſſeſſed received the ſame. And on perſons having deer's fleſh, &c.

AND BE IT FURTHER ENACTED, *by the authority, advice and conſent aforeſaid*, That it is the true ... and meaning of this act, that the liberty given to the Indians aforeſaid ſhall extend only to ...lling of deer for their private uſe, and not for ſale, and that it ſhall not be lawful for any in- ...nt within this province, under the penalty aforeſaid, to be recovered as aforeſaid, for the uſes ...id, to purchaſe any dead deer, or any part thereof, of any Indian or Indians, within the time ...ited by this act to kill deer in. Indians not to kill for ſale.

AND BE IT FURTHER ENACTED, *by the authority, advice and conſent aforeſaid*, That an act of aſ- ..., made at a ſeſſion of aſſembly begun and held at the city of Annapolis the tenth day of July, ...mini one thouſand ſeven hundred and twenty-nine, entitled, An act for the preſervation of ...eed of wild deer, be and is hereby repealed, abrogated and made null and void. An act repealed.

...s act has not been actually repealed, but ſeveral other acts have been paſſed on the ſame ſubject, viz. November, 1773, ..., (ſince repealed,) 1785, ch. 29, (ſince repealed,) 1789, ch. 5, 1795, ch. 49.

CHAP. XVIII.

...CT for the relief of Thomas Worſley, Benjamin Freeman, John Vines, John Cornelius, Tho- ...Howard, Thomas Jacks, John Nicholſon and James Mackintoſh, languiſhing priſoners in Anne- ...ndel county gaol, Thomas Palmer, a languiſhing priſoner in the gaol of the city of Annapolis, ...liam Gray, Thomas Davis, John Smith and Anthony Onealis, languiſhing priſoners in Prince- ...rge's county gaol, and John Libby and Alice Macklin, languiſhing priſoners in Talbot county ... Lib. L. No. 5. fol. 371. A Private Act. Paſſed 16th of June, 1730.

CHAP. XIX.

...CT to record and make valid in law a deed from John Watmore to a certain William Dare the ...er, and ſale to be made of certain lands therein mentioned by the ſurviving executor of Willi- ...Dare the ſon. Lib. L. No. 5. fol. 377. A Private Act.

CHAP. XX.

...CT to enable the clerk of Dorcheſter county to deliver a deed of bargain and ſale from the heir ...Henry Bray to William Cornwallis, unto Richard Bennet, Eſquire, and to enable the clerk of ...en-Anne's county to deliver a deed of ſale from the heir of John Jones to the ſaid Cornwallis, ...o the clerk of Dorcheſter county, and to enable him to record the ſame. Lib. L. No. 5. fol. ... A Private Act.

CHAP. XXI.

...CT for cutting off the entail, and inveſting an eſtate of inheritance in fee-ſimple, of a tract of ...called Exeter, in Henry Wharton, of St. Mary's county, gentleman, and his wife, and to ...il other lands, lying in St. Mary's county, in lieu thereof. Lib. L. No. 5. fol. 381. A Pri- ... Act.

CHAP. XXII.

...CT to aſcertain the fees of practitioners of the law within this province, and to prevent ex- ...ions, frauds and abuſes therein. Lib. L. No. 5. fol. 383. Diſſent.

CHAP. XXIII.

...plementary act to the act, entitled, * An act for the eſtabliſhment of religious worſhip in this ...vince, according to the church of England, and for the maintenance of miniſters. Lib. L. ... 5. fol. 389. * 1702, ch. 1.

CHAP. XXIV.

...CT for the relief of John Smith, a languiſhing priſoner in Cæcil county gaol. Lib. L. No. 5. ...392. A Private Act.

CHAP. XXV.

...CT empowering a committee to lay, aſſeſs and apportion the public levy for this preſent year, ...thouſand ſeven hundred and thirty. Lib. L. No. 5. fol. 397.

At a SESSION of ASSEMBLY begun and held at the CITY of A
NAPOLIS, in the county of Anne-Arundel, for the provi
of Maryland, on the 13th, and ended the 29th day of J
in the 17th year of the dominion of the right honourable CHARL
abſolute Lord and Proprietary of the provinces of Maryland a
Avalon, Lord Baron of Baltimore, &c. *annoque domini* 1731, w
enacted the following laws, viz.

BENEDICT LEONARD CALVERT, ESQUIRE, GOVERNOR.

CHAP. I.

Paſſed 29th of July, 1731.

An ACT empowering the juſtices of Calvert county court to levy on the taxable perſons of county, any ſum of tobacco not exceeding ten thouſand pounds of tobacco, to pay for the fini the court-houſe of the ſaid county. Lib. L. No. 5. fol. 400.

CHAP. II.

An ACT for the continuance of proceſs in Baltimore county court. Lib. L. No. 5. fol. 401.

CHAP. III.

An ACT to encourage the making of linen cloth within this province of flax or hemp of the g thereof. Lib. L. No. 5. fol. 403.

To continue in force till the laſt of March, 1735; revived 1735, ch. 14, and, with its ſupplementary act of 173 expired in 1740.

CHAP. IV.

An ACT for the aſſeſſment of ſo much tobacco on the taxable inhabitants of Weſtminſter par Anne-Arundel county, as will build them a new pariſh church, and purchaſe two acres of l build the ſaid church on. Lib. L. No. 5. fol. 405.

CHAP. V.

An ACT to ſupply ſome defects in a deed of bargain and ſale from Audry Taylard, late of S ry's county, widow, to Philemon Hemſley and Mary his wife, of a lot or portion of ground in Annapolis, now in the poſſeſſion of the honourable Charles Calvert, Eſquire. Lib. L. fol. 407. A Private Act.

CHAP. VI.

An ACT to enable the clerk of the provincial court, or the clerk of Baltimore county court, cord a deed of bargain and ſale from Thomas Gibſon to James Kingſbury, and to make th deed valid. Lib. L. No. 5. fol. 409. A Private Act.

CHAP. VII.

An ACT to record and make valid a deed of bargain and ſale from James Gold and Elizab wife, to William Scot and Sarah his wife. Lib. L. No. 5. fol. 410. A Private Act.

CHAP. VIII.

An ACT to prevent the infection and ſpreading of the ſmall-pox from a veſſel belonging to Woodward, merchant. Lib. L. No. 5. fol. 411.

SESSION of ASSEMBLY, begun and held at the CITY of NNAPOLIS, in the county of Anne-Arundel, for the province Maryland, on the 19th day of Auguſt, and ended the 6th day September, in the 17th year of the dominion of the right hourable CHARLES, abſolute Lord and Proprietary of the Provinces Maryland and Avalon, Lord Baron of Baltimore, &c. *annoque mini* 1731, were enacted the following laws, viz.

BENEDICT LEONARD CALVERT, ESQUIRE, GOVERNOR.

CHAP. IX.

T for reviving an act of aſſembly, entitled, (a) An act for the advancement of juſtice, and alſo ct of aſſembly, entitled, (b) A Supplementary act for the advancement of juſtice. Lib. . fol. 1. Paſſed 6th of Sept. 1731.

(a) 1723, ch. 12. (b) 1730, ch. 10; both which are hereby continued three years, &c.

CHAP. X.

T to remedy defective probats of accounts, and giving further time for proving accounts. BLC. fol. 2.

CHAP. XI.

T for the further aſſeſſment of thirty thouſand pounds of tobacco on the inhabitants of St. s pariſh, in Baltimore county. Lib. BLC. fol. 3.

CHAP. XII.

T for reviving an act of aſſembly, entitled, (c) An act for relieving the inhabitants of this nce from ſome aggrievances in the proſecution of ſuits at law, and for reviving and continuing d) ſupplementary act thereto. Lib. BLC. fol. 4.

(c) 1714, ch. 4. (d) 1728, ch. 24; both which are hereby continued three years, &c.

CHAP. XIII.

T to ſupply ſome defects in a deed of bargain and ſale from Edward Mitchell, of Kent coun- entleman, to John Ward, of Cæcil county, gentleman, and from the ſaid Ward to William lls, of Dorcheſter county, gentleman, of a piece of land called The Ponds, lying in Kent y aforeſaid. Lib. BLC. fol. 5. A Private Act.

CHAP. XIV.

T to ſupply ſome defects in a deed of bargain and ſale from William Green, ſenior, of Dor- r county, to colonel John Ryder, of the ſame county, of three tracts of land, viz. the one Marſh Iſland, one called Green's Privilege, and the other called Green's Adventure, all ly- nd being in the county aforeſaid. Lib. BLC. fol. 6. A Private Act.

CHAP. XV.

ACT to oblige the ſeveral officers within this province to write ir fees in words at full length, and for clerks to deliver bills of t, if required. Lib. BLC. fol. 7.

HEREAS ſeveral of the inhabitants of this province have complained, that ſeveral of the officers within this province write their accounts of fees in ſuch abbreviated words that the cannot by any means ſatisfy themſelves for what the ſaid fees became due; for prevention for the future, Preamble.

E IT ENACTED, *by the right honourable the Lord Proprietary, by and with the advice and conſent of ip's Governor, and the Upper and Lower Houſes of Aſſembly, and the authority of the ſame,* That after the end of this preſent ſeſſion of aſſembly, all the ſeveral and reſpective officers with- province ſhall be, and are by virtue of this act, obliged to draw out the particulars of their fees Accounts to be in words at length, &c.

CHAP. XV. fees in a fair legible hand, and in words at full length, and on failure thereof, ſuch officer to ſuch fees ſo expreſſed in words cut off or abbreviated.

See November, 1779, ch. 25, ſection 9.

Clerks to deliver copies, &c.

III. AND BE IT FURTHER ENACTED, *by the authority, advice and conſent aforeſaid*, That the ſe clerks of the ſeveral courts of record, regiſter of the court of chancery, and regiſter of the miſſary's court, within this province, ſhall be and they are hereby obliged to deliver to the defe if required, full copies, in a fair legible hand, of all the coſts of ſuit recovered againſt ſuch fendant; and that if any clerk or regiſter ſhall refuſe ſo to do, he ſhall forfeit and pay the ſ two thouſand pounds of tobacco, to be recovered in the county where ſuch clerk or regiſter re and that one half be applied to the uſe of the public ſchool in ſuch county, and the other half t informer that ſhall ſue for the ſame, to be recovered by action of debt, bill, plaint or inform wherein no eſſoin, protection or wager of law to be allowed.

CHAP. XVI.

Paſſed 6th of Sept. 1731.

An ACT to ſupply ſome defects in a deed of bargain and ſale from Edward Warner, late of Lo in the kingdom of Great-Britain, deceaſed, to William Huſbands, late of Cæcil county, dece of two tracts of land, viz. the one called Stillington, the other called Chance, both lyin being in Cæcil county. Lib. BLC. fol. 8. A Private Act.

CHAP. XVII.

Paſſed 16th of Sept. 1721.

An ACT for relief of Richard Smith, William Nimmo, George Clagget, William Burſton, J Maſon, John Brooke and Benjamin Hilliard, languiſhing priſoners in Prince-George's county William Robertſon, Richard Roper, John Norwood and Richard Simpſon, languiſhing pri in Anne-Arundel county gaol, Thomas Taylor, a languiſhing priſoner in Baltimore county Edward Hyatt and Robert Lynch, languiſhing priſoners in Kent county gaol, Richard Ba Thomas Brown, John Clarke, William Auſtin and Robert Cardiff, languiſhing priſoners in T county gaol, Thomas Vernal, a languiſhing priſoner in St. Mary's county gaol, and Daniel a languiſhing priſoner in Cæcil county gaol. Lib. BLC. fol. 10. A Private Act.

CHAP. XVIII.

An ACT for eaſing ſundry inhabitants of this province, who are owners of veſſels, from ſome culties they are put to by an act, entitled, A ſupplementary act to the act, entitled, An a laying an impoſition on negroes, and ſeveral ſorts of liquors imported, and alſo on Iriſh ſer to prevent the importing too great a number of Iriſh papiſts into this province. Lib. fol. 16.

CHAP. XIX.

An ACT to prevent the clandeſtine running or importation of traſhy and other tobacco fr colony of Virginia into this province. Lib. BLC. fol. 17.

To continue in force till the tenth November, 1735.

CHAP. XX.

An ACT to continue and aid the proceſs and proceedings in the provincial court, and to a the ſaid court which is to be held in September next, and on the Thurſday before the third day in October next, unto the third Tueſday in October next, and to adjourn the court of ap to the firſt day of the provincial court to be held the third Tueſday of October next. Lib. fol. 19.

CHAP. XXI.

An ACT to make and emit thirty-ſix thouſand pounds current money of Maryland in bills of c and for eaſing the inhabitants of this province, and to raiſe a fund to ſink the ſaid bills of c Lib. BLC. fol. 21.

CHAP. XXII.

An ACT empowering a committee to lay, aſſeſs and apportion the public levy for this preſent one thouſand ſeven hundred and thirty-one. Lib. BLC. fol. 32.

A SESSION of ASSEMBLY begun and held at the CITY of ANNAPOLIS, in the county of Anne-Arundel, for the province of Maryland, on the 11th day of July, and ended the 8th day of Auguſt, in the 18th year of the dominion of the right honourable CHARLES, abſolute Lord and Proprietary of the provinces of Maryland and Avalon, Lord Baron of Baltimore, &c. *annoque Domini* 1732, were enacted the following laws, viz.

SAMUEL OGLE, ESQUIRE, GOVERNOR.

CHAP. I.

ACT for the trial of all matters of fact in the ſeveral counties where they have ariſen or ſhall be, the continuance of cauſes in the provincial court, and adjournment of that court. Lib. BLC. fol. 34. Paſſed 31ſt of July, 1732.

To be in force three years, &c. farther continued by 1736, ch. 22, and expired in 1740.

CHAP. II.

ACT for the relief of Anne Oſburn, of St. Mary's county. Lib. BLC. fol. 39. A Private Paſſed 8th of Auguſt, 1732.

CHAP. III.

ACT to prohibit raiſing of ſwine, ſheep and geeſe, in the town of Cheſter, in Kent county. Lib. BLC. fol. 40.

CHAP. IV.

ACT for preventing bribery and corruption in the elections of citizens or delegates to ſerve in aſſembly for the city of Annapolis. Lib. BLC. fol. 40. Diſſent. Paſſed 24th of July, 1732.

CHAP. V.

ACT for aſcertaining the form of the oath of judge or juſtice. Lib. BLC. fol 41. Paſſed 31ſt of July, 1732.

CHAP. VI.

ACT for the erecting a town on the ſouth ſide of Cheſter river, in Queen-Anne's county, for ing in lots ſixty acres of land at the mouth of the South-Eaſt Branch, on the ſouth ſide thereof, point of land known by the name of Hawkins's Prize-houſe Point. Lib. BLC. fol. 42. Paſſed 8th of Auguſt, 1732.

B. By this act, 1. Commiſſioners were empowered to purchaſe (by agreement or valuation of a jury,) ſixty acres of land tract aforeſaid, lying moſt convenient to the water, and to cauſe the ſame to be ſurveyed and laid out into ſixty lots, allow- nvenient ſpace for ſtreets, lanes, &c. to be laid out into a town. 2. The owner of the land to have the firſt choice for one lot, erwards the remaining lots to be taken up by others; none to purchaſe more than one lot during four months after laying nd the lots to be purchaſed by inhabitants of the county; but if all the lots be not taken up by ſuch inhabitants in ſix s, then ſuch lots may be taken up by any others, paying the owners of the land proportionably for the ſame; and in caſe nation of the land by a jury, the ſum by ſuch jury adjudged to be paid the owners of the land being paid by perſons taking s, proportionably to their lots, ſhall give ſuch purchaſers, their heirs and aſſigns, an abſolute eſtate in fee-ſimple to ſuch ney complying with the requiſites in this act mentioned. 3. The takers up of any lots refuſing or neglecting to build there- thin 18 months, an houſe to cover 400 ſquare feet, any other perſon whatſoever may enter upon ſuch lot, ſo as aforeſaid it on, paying to the commiſſioners, or perſon by them appointed to receive the ſame, the ſum firſt ſet upon ſuch lot, for the uſe and benefit of the town, provided ſuch ſecond taker up, build and finiſh, within eighteen months after ſuch his entry ſuch houſe as by this act is before limitted; which houſe, ſo built, ſhall give and ſettle as good an eſtate to ſuch ſecond p, his heirs and aſſigns, as is by this act before ſettled on the firſt taker up and builder. 4. Lots not taken up in ſeven rom the publication of this act ſhall be veſted in the firſt owner, as in his firſt and former eſtate. 5. The town to be called wn upon Cheſter. 6. The commiſſioners to appoint a ſufficient clerk, who upon oath ſhall make true and impartial entries proceedings, which entries, made up in a well bound book, they ſhall cauſe to be lodged with the clerk of Queen-Anne's court, for the inſpection of any perſon requiring it; and the ſurveyor to return a plot of the town to the county clerk, to by him among the county records. 7. A ſaving of rights to the crown, the lord proprietor, &c. 8. Poſſeſſors of lots to his lordſhip yearly one penny current money of Maryland for each lot.

CHAP. VII.

ACT for the naturalization of Onorio Rozilini, of Annapolis. Lib. BLC. fol. 44. A Private

CHAP. VIII.

ACT to prevent cutting up tobacco plants, deſtroying of tobacco and tobacco-houſes, and for taining the puniſhment of criminals guilty of the ſaid offences. Lib. BLC. fol. 44.

To be in force for three years, &c. Continued 1736, ch. 5, and 1740, ch. 5. Expired in 1744.

CHAP.

CHAP. IX.

Passed 8th of August, 1732. * 1728, ch. 12.

An ACT for reviving an act * for deſtroying bears in Somerſet county. Lib. BLC. fol. 45.

See the note under the original act.

CHAP. X.

An ACT to enable the clerk of the provincial court, or the clerk of Baltimore county co record a deed of bargain and ſale from Benoni Fanning and Hannah his wife, to John Contee to make the ſame deed valid. Lib. BLC. fol. 45. A Private Act.

CHAP. XI.

A Supplementary act to the act, entitled, (a) An act to encourage the making of linen cloth this province of flax or hemp of the growth thereof. Lib. BLC. fol. 45.

(a) 1731, ch. 3, which, together with this act, was continued by 1735, ch. 14, and both expired in 1740.

CHAP. XII.

An ACT for the aſſeſſment of one hundred thouſand pounds of tobacco on the taxable inhabit Chriſt Church pariſh, in Calvert county, for the building of a church and veſtry-room, and purchaſing two acres of land. Lib. BLC. fol. 46.

CHAP. XIII.

An ACT for laying an impoſition on tobacco by the hogſhead for ſupport of government, payment of his lordſhip's quit-rents and alienation fines for the (b) time therein mentioned. BLC. fol. 47.

(b) From the 29th September next to the 29th September, 1733. Expired.

CHAP. XIV.

An ACT for erecting a town on a creek, divided on the eaſt from the town lately laid out in more county, called Baltimore-town, on the land whereon Edward Fell keeps ſtore. Lib. fol. 47.

N. B. By this act, 1. Commiſſioners were appointed and empowered to purchaſe (by agreement with the owner, or ſuch owner's refuſal, &c. by valuation of a jury,) ten acres of land out of the ſaid tract, lying moſt convenient to the to lay out the ſame into twenty lots, &c. to be numbered from one to twenty, for better diſtinction thereof. 2. The return a plot of the ſaid town to the county clerk, to be by him kept among the county records. 3. The owner of have his firſt choice for one lot, after which choice, the remaining lots to be taken up by others; no perſon to purchaſe one lot during the firſt four months after laying out, nor any other than inhabitants of the county to take up lots months, after which time any perſons whatſoever to have liberty of taking up lots; and the payment of the proportion agreed for (or aſſeſſed by the jury,) to the owners, for any lot or lots, ſhall give the purchaſers, their heirs and aſſigns, lute eſtate of fee-ſimple therein, he or they complying with the requiſites in this act mentioned. 4. If the taker up of ſuſe or neglect to build thereon within eighteen months, a houſe to cover 400 ſquare feet, it ſhall then be lawful for perſon to enter upon ſuch lot ſo not built upon, paying the ſum firſt ſet upon ſuch lot to the commiſſioners, or perſon by pointed to receive the ſame, for the public uſe and benefit of the town; and ſuch ſecond taker up ſhall, within eighte after ſuch his entry made, build and finiſh ſuch houſe as by this act is before appointed, which houſe, ſo built, ſhall ſett an eſtate to ſuch ſecond taker up, his heirs, &c. as by this act is before ſettled upon the firſt taker up and builder. 5. A ſaid lots neglected to be taken up during ſeven years after the publication of this act, ſhall revert to the owner of the ſhall thenceforth be poſſeſſed and intereſted therein as in his firſt and former eſtate. 6. The town to be called Jonas- The commiſſioners to appoint a ſufficient clerk, who ſhall, upon oath, make true and impartial entries of their proceedin entries they ſhall cauſe to be made up in a well bound book, and lodged with the clerk of Baltimore county court, for t tion of any perſon. 8. A ſaving of rights to the crown, the lord proprietor, &c. 9. Poſſeſſors of lots to pay one pen money *per annum* to the lord proprietary and his heirs for ever.

See the ſupplementary act of 1745, ch. 9, whereby this town is incorporated with Baltimore-town.

CHAP. XV.

An ACT for the erecting a town at the head of Wiccomico river, in Somerſet county, fo into lots fifteen acres of land in the fork thereof, and at the landing commonly now called H or Carr's Landing. Lib. BLC. fol. 49.

N. B. By this act, 1. Commiſſioners empowered to purchaſe, &c. fifteen acres, part of a tract of land at the head mico river, in a fork thereof, now in poſſeſſion of William Winder, a minor, commonly known by the name of P Good Will, lying moſt convenient to the water, and to cauſe the ſame to be ſurveyed and laid out into 20 lots, allowi ſpace for ſtreets, &c. with poſts towards every ſtreet, &c. and the lots, for better diſtinction, to be numbered from one 2. The owner to have his choice for two lots, after which the remaining lots to be taken up by others; no perſon more than one lot during four months after laying out the town, and the lots to be taken up by inhabitants of the cou all the lots be not taken up by ſuch inhabitants in ſix months, then any other perſons to be at liberty to take up the ſa the owner proportionably for the ſame, and ſuch proportionable payment ſhall give the purchaſers of ſuch lots, thei aſſigns, an abſolute eſtate of fee-ſimple therein, they complying with the requiſites in this act mentioned. 3. The return a plot of the town to the county clerk, to be by him kept among the county records. 4. Takers up of lots neglecting to build thereon within 18 months, an houſe to cover 400 ſquare feet, ſuch lots, ſo not built upon, may by any other perſon, paying the ſum firſt ſet on ſuch lot to the commiſſioners, or perſon by them appointed to receiv for the public benefit of the town; and ſuch houſe, as in this act is before limitted and appointed, being built within by ſuch ſecond taker up, ſhall give him, his heirs, &c. as good an eſtate therein, as is by this act ſettled upon the fi

ilder. 5. Lots not taken up during ſeven years next after publication of this act, ſhall revert to the firſt owners of the 6. The town to be called Saliſbury-town. 7. The commiſſioners to employ a ſufficient clerk, who, upon oath, ſhall enter r proceedings, which entries, made up in a well bound book, ſhall be lodged with the clerk of Somerſet county court, for pection of any perſon. 8. A ſaving of rights to the crown, the lord proprietor, all bodies politic and corporate, and all not mentioned in this act. 9. Poſſeſſors of lots to pay one penny current money *per annum* to his lordſhip and his heirs r. 10. The aforeſaid William Winder to have liberty to build, &c. upon the two lots choſen for him, ſo as the ſame be within 18 months after his arrival at full age, &c.

C H A P. XVI.

CT to repeal an act, entitled, * An act for the relief of the deviſees of James Phillips the , and Anthony Phillips, late of Baltimore county, deceaſed. Lib. BLC. fol. 50. A Private

Paſſed 8th of Auguſt, 1732.
* 1724, ch. 15.

C H A P. XVII.

CT to encourage adventurers in iron-works. Lib. BLC. fol. 52. Repealed by November, , ch. 14.

C H A P. XVIII.

CT for the erecting a town in Queen-Anne's county, on Cheſter river, oppoſite to Cheſter- , in Kent county, on the land poſſeſſed by John Dempſter. Lib. BLC. fol. 52.

B. By this act, 1. Commiſſioners empowered to purchaſe by agreement, or (in caſe of the owner's refuſal, &c.) by valua- f a jury, 30 acres of land out of the ſaid tract, lying moſt convenient to the water, and to cauſe the ſame to be ſurveyed d out for a town, and divided into 30 lots, allowing ſufficient ſpace for ſtreets, &c. and the lots to be numbered from 1 to- better diſtinguiſhing one from another. 2. The owner of the land to have the firſt choice for one lot, after which the ing lots to be taken up by others; none to take up more than one lot during the firſt 4 months, and the lots to be taken up abitants of the county, but if not all taken up by ſuch inhabitants within ſix months after laying out, then any perſons ever may take up ſuch lots, paying the owners proportionably for the ſame; and ſuch proportionable payment ſhall give d purchaſers, their heirs and aſſigns, an abſolute eſtate of fee-ſimple in the ſaid lots, they complying with the requiſites in mentioned. 3. The ſurveyor to return a plot of the town to the clerk of Queen-Anne's county, to be by him kept among nty records. 4. The takers up of lots to build on ſuch lot or lots an houſe to cover 400 ſquare feet, within 18 months, caſe of refuſal or neglect thereof, then may any other perſon whatſoever enter upon ſuch lot or lots not built upon, paying n firſt ſet and aſſeſſed upon ſuch lot to the commiſſioners, or perſon by them appointed to receive the ſame, for the public d benefit of the town; and ſuch ſecond taker up building and finiſhing, within 18 months after ſuch his entry made, ſuch as is in this act before limitted, ſhall have as good an eſtate, to him, his heirs and aſſigns, as is by this act before ſettled on ſt taker up and builder. 5. All lots not taken up within ſeven years from the publication of this act ſhall revert to the of the land. 6. The town to be called King's-town. 7. The commiſſioners to employ a ſufficient clerk, upon oath, to rue and impartial entries of their proceedings, which entries, made up in a well bound book, they ſhall cauſe to be lodged he clerk of Queen-Anne's county court, for the inſpection of any perſon. 8. A ſaving of rights to the crown, the lord etary, &c. 9. Poſſeſſors of lots to pay one penny current money *per annum* to the lord proprietary and his heirs for ever.

C H A P. XIX.

CT to prohibit raiſing of ſwine in Upper-Marlborough-town, in Prince-George's county. Lib. . fol. 53.

C H A P. XX.

CT reviving and continuing an act of aſſembly of this province, entitled, (a) An act for the r relief of poor debtors. Lib. BLC. fol. 54.

(a) 1722, ch. 13, hereby continued three years, &c. Expired.

C H A P. XXI.

CT for laying out anew fifteen acres of land, part of the one hundred acres of land formerly ed into a town, commonly called Benedict-Leonard-town, upon Patuxent river, in Charles ty, beſides the lots which have been already taken up, purſuant to the directions of former and to reſtrain the inhabitants from keeping any ſtock, except within their encloſures, in the town. Lib. BLC. fol. 54.

B. The bounds of the 100 acres, formerly laid out for a town by the act of 1683, ch. 5, and confirmed by 1706, ch. 14, very uncertain, &c. and the ſaid 100 acres being thought to be by far too much for that place, by this act, 1. Commiſ- are empowered to purchaſe, &c. fifteen acres of land, out of the tract aforeſaid, lying moſt convenient to the water, to ed to the lots already taken up, and to ſurvey and lay out the ſame into twenty lots, allowing ſufficient ſpace for ſtreets, ith poſts towards every ſtreet, &c. and the lots, for better diſtinction, to be numbered from one to twenty. 2. The owner land to have the firſt choice for one lot, after which the remaining lots to be taken up by others; no perſon to take up han one lot within the fifteen acres during the firſt four months, and the lots to be purchaſed by inhabitants of the county, not taken up by ſuch inhabitants within ſix months after laying out, then any perſons whatſoever to be at liberty to take h lots, paying the owners proportionably for the ſame; and ſuch proportionable payment ſhall give the purchaſers, their nd aſſigns, an abſolute eſtate of fee-ſimple in the ſaid lots, they complying with the requiſites in this act mentioned. 3. rveyor to return a plot of the town to the county clerk, to be by him kept among the county records. 4. In caſe the up of lots refuſe or neglect to build thereon, within eighteen months, an houſe to cover four hundred ſquare feet, ex- of ſheds, then it ſhall be lawful for any other perſons to enter upon ſuch lots ſo as aforeſaid not built on, paying to the ſioners, or perſon by them appointed to receive the ſame, the ſum firſt ſet and aſſeſſed upon ſuch lot, for the public uſe enefit of the town; and the building and finiſhing, within eighteen months after ſuch entry made, ſuch houſe as in this efore appointed to be built by the firſt taker up, ſhall give as good an eſtate to ſuch ſecond taker up and builder, his heirs

and aſſigns, as is by this act ſettled upon the firſt taker up and builder. 5. Lots not taken up within ſeven years next after publication of this act ſhall revert to the owner of the land. 6. The town to be called Benedict-Leonard-town. 7. The commiſſioners to employ a ſufficient clerk, who (upon oath) ſhall make true and impartial entries of their proceedings, which entries ſhall be up in a well bound book, ſhall be lodged with the clerk of Charles county, for the inſpection of any perſon. 8. No inhabitant of the town ſhall keep within the ſame any ſwine, geeſe, ſheep, cattle or horſes, belonging to themſelves, or any other perſons whatſoever, unleſs within their own encloſures, and perſons convicted thereof, before a ſingle magiſtrate, ſhall pay one hundred pounds of tobacco for each tranſgreſſion, to be levied by way of execution on the offender's body, goods, &c. and applied to the uſe of the county free-ſchool. 9. A ſaving of rights to the crown, the lord proprietor, all bodies politic and corporate, and all others not mentioned in this act. 10. Poſſeſſors of lots to pay one penny current money *per annum* for each lot to his lordſhip and his heirs for ever.

CHAP. XXII.

Paſſed 8th of Auguſt, 1732. * 1715, ch. 33.

A Supplementary act to the * act for ſtay of execution after the tenth of May. Lib. BLC. fol. Repealed after tenth May, 1792, by 1791, ch. 67.

CHAP. XXIII.

* 1715, ch. 36.

An ACT repealing part of an act, entitled, * An act laying an impoſition on negroes, and on ſeveral ſorts of liquors imported, and alſo on Iriſh ſervants, to prevent the importing too great a number of Iriſh papiſts into this province. Lib. BLC. fol. 56.

CHAP. XXIV.

An ACT for erecting a town at the bridge near the head of Great Choptank river, in Dorchester and Queen-Anne's counties. Lib. BLC. fol. 57.

N. B. By this act, 1. Commiſſioners were empowered to purchaſe, &c. twenty acres of land in each county aforeſaid at Choptank bridge, lying moſt convenient to the river, and cauſe the ſame to be ſurveyed and laid out into forty equal lots, allowing ſufficient ſpace for ſtreets, &c. with poſts towards every ſtreet, &c. and the lots, for better diſtinction, to be numbered from one to forty. 2. The owner of the land on each ſide to have his firſt choice of one lot, after which the remaining lots to be taken up by others; no perſon to purchaſe more than one lot during the firſt four months, and the lots to be purchaſed by the inhabitants of the reſpective counties, but if the lots be not taken up by ſuch inhabitants within ſix months, then any other perſons to have liberty to take up the ſame, paying the owner proportionably; and ſuch proportionable payment ſhall give the purchaſers, their heirs and aſſigns, an abſolute eſtate in fee-ſimple in the ſaid lots, they complying with the requiſites in this act mentioned. 3. The ſurveyor to return a plot of the town to the clerk of each county, to be by them kept among the records of the ſaid counties. 4. In caſe the takers up of lots neglect to build thereon, within eighteen months, an houſe to contain ſquare feet, then may any perſon whatſoever enter upon ſuch lots ſo not built upon, paying the ſum firſt ſet and aſſeſſed on ſuch lots to the commiſſioners, or perſon by them appointed to receive the ſame, for the public uſe and benefit of the town, a houſe (ſuch as in this act is before limitted and appointed to be built by the firſt taker up,) built within eighteen months, ſuch his entry made, ſhall give and ſettle as good an eſtate to ſuch ſecond taker up and builder, his heirs and aſſigns, as this act ſettled upon the firſt taker up and builder. 5. Lots not taken up within ſeven years after publication of this act ſhall revert to the owner of the land. 6. The town to be called Bridge-town. 7. The commiſſioners to employ a ſufficient clerk, who (upon oath) ſhall make true entries of their proceedings, which entries made up in a well bound book, they ſhall cauſe to be lodged with the clerk of Queen-Anne's county court, for the inſpection of any perſon. 8. A ſaving of rights to the crown, the lord proprietor, all bodies politic and corporate, and all perſons not mentioned in this act. 9. Poſſeſſors of lots to pay one penny current money of Maryland *per annum* to his lordſhip and his heirs for each lot for ever.

CHAP. XXV.

An ACT aſcertaining the gauge and tare of tobacco hogſheads. Lib. BLC. fol. 58.

To be in force till the 29th September, 1733. Expired.

CHAP. XXVI.

An ACT to explain part of an act, entitled, (a) An act for the advancement of juſtice. Lib. BLC. fol. 60.

(a) 1723, ch. 12, which expired in 1740.

CHAP. XXVII.

An ACT for the ſpeedy recovery of ſmall debts out of court before a ſingle juſtice of the peace. Lib. BLC. fol. 61.

To be in force three years, &c. Continued 1736, ch. 1, 1742, ch. 2, and 1746, ch. 6, and expired in 1750.

CHAP. XXVIII.

An ACT for the aſſeſſment of ſixty thouſand pounds of tobacco on the taxable inhabitants of Elizabeth-town parish, in Charles county, for the building a church. Lib. BLC. fol. 62.

CHAP. XXIX.

An ACT for the aſſeſſment of ſo much tobacco on the inhabitants of St. Paul's pariſh, in Prince George's county, as will build them a new pariſh church, and chapel of eaſe. Lib. BLC. fol.

CHAP. XXX.

An ACT for raiſing a duty of three-pence per hogſhead on all tobacco exported out of this province for the uſes therein mentioned. Lib. BLC. fol. 63.

To be in force till the 29th September, 1733. Continued 1733, ch. 11, and 1736, ch. 2. Expired the 29th September,

CH

CHAP. XXXI.

CT for laying an impoſition of three-pence per hogſhead on all tobacco to be exported out of province for the (a) time therein mentioned. Lib. BLC. fol. 63. Paſſed 8th of Auguſt, 1732.

(a) Viz. From 29th September, 1732, to 29th September, 1733. Expired.

CHAP. XXXII.

CT for the relief of Alexander Sims and Archibald Johnſon, languiſhing priſoners in St. Mary's ty gaol. Lib. BLC. fol. 64. A Private Act.

CHAP. XXXIII.

CT empowering a committee to lay, aſſeſs and apportion the public levy for this preſent year, thouſand ſeven hundred and thirty-two. Lib. BLC. fol. 66.

CHAP. XXXIV.

CT for the continuance of St. Mary's county court, Baltimore county court, and Talbot ty court, from the firſt Tueſday of Auguſt until the firſt Tueſday of November next, and for further continuance of cauſes in the ſaid courts. Lib. BLC. fol. 66.

A SESSION of ASSEMBLY begun and held at the City of ANNAPOLIS, in the county of Anne-Arundel, for the province of Maryland, on the 13th day of March, in the 18th year of the dominion of the right honourable Charles, abſolute Lord and proprietary of the provinces of Maryland and Avalon, Lord Baron of Baltimore, &c. *annoque domini* 1732, and ended the 12th day of April following, *anno domini* 1733, the following laws were enacted and aſſented to, by

The Right Honourable the Lord Proprietary in Perſon.

CHAP. I.

CT reviving an act of aſſembly, entitled, (b) An act for the ſpeedy and effectual publication he laws of this province, and for the encouragement of William Parks, of the city of Anna-, printer. Lib. BLC. fol. 68. Paſſed 12th of April, 1733.

(b) 1727, ch. 8, hereby continued ſeven years.

CHAP. II.

plementary act to the act, entitled, * An act for laying out anew fifteen acres of land, part ne one hundred acres of land formerly erected into a town, commonly called Benedict-nard-town, upon Patuxent river, in Charles county, beſides the lots which have been dy taken up, purſuant to the directions of former laws, and to reſtrain the inhabitants from ing any ſtock, except within their encloſure, in the ſaid town. Lib. BLC. fol. 69. * 1732, ch. 21

B. By this act, 1. The owner of the land was obliged to make his firſt choice of one lot within ten days after notice given y the commiſſioners, &c. 2. The tobacco ſet upon the lots might be paid by the ſeveral takers up to the owner of the land, at his dwelling-houſe, or in the hands of the ſheriff of Charles county. 3. No perſons living within the ſaid town ſhall herein, or within the encloſures of Mr. Charles Somerſet Smith, any hogs, geeſe, horſes, cows or other cattle, belonging mſelves or others, unleſs within their own encloſures, and perſons convicted thereof before a ſingle magiſtrate, on confeſſion oof, ſhall pay one hundred pounds tobacco for each tranſgreſſion, to be levied on the body, goods, &c. of the offender, by f execution, as in caſe of ſmall debts, to be applied to the uſe of the county free-ſchool.

CHAP. III.

Paſſed 12th of April, 1733.

An ACT for erecting a town at and about the landing, called The Elk-Ridge Landing, near head of Patapſco river, in Anne-Arundel county. Lib. BLC. fol. 70.

N. B. By this act, 1. Commiſſioners were appointed and empowered to purchaſe, &c. thirty acres of land at or about place aforeſaid, lying moſt convenient to the water, and to cauſe the ſame to be ſurveyed and laid out, &c. into forty lots town, allowing ſufficient ſpace for ſtreets, &c. and the lots, for better diſtinction, to be numbered from one to forty. owner of the land to have his firſt choice of one lot, provided ſuch choice be made in ten days, after which the remaining be taken up by others; none to take up more than one lot during four months after laying out, and the lots to be taken habitants of the ſaid county, but in caſe the lots ſhould not be taken up by ſuch inhabitants in ſix months, then any ſons whatſoever may take up lots, paying the owner proportionably for the ſame, and ſuch proportionable payment ſhall purchaſers, their heirs and aſſigns, an abſolute eſtate of fee-ſimple in ſuch lots, they complying with the requiſites in mentioned. 3. The ſurveyor to return a plot of the town to the county clerk, to be by him kept among the county 4. In caſe the taker up of any lot do not build, within eighteen months, an houſe to cover 400 ſquare feet, then may perſon enter upon ſuch lot, ſo as aforeſaid not built on, paying the ſum firſt ſet and aſſeſſed upon ſuch lot to the commiſ perſon by them appointed to receive the ſame, for the public uſe and benefit of the town, provided ſuch taker up build and within eighteen months after ſuch his entry made, ſuch houſe as is in this act before limitted and appointed to be built by taker up, which houſe ſo built, ſhall give and ſettle as good an eſtate to ſuch ſecond taker up and builder, his heirs, &c. this act ſettled upon the firſt taker up and builder. 5. In caſe any lots be not taken up during ſeven years from the publi this act, ſuch lots ſhall then revert to the owner of the land. 6. The town to be called Janſen-town. 7. The commiſ employ a ſufficient clerk, who ſhall, upon oath, make true and impartial entries of their proceedings, which entries, mad a well bound book, they ſhall cauſe to be lodged with the clerk of Anne-Arundel county court, for the inſpection of any 8. Poſſeſſors of lots in the ſaid town to pay one penny current money of Maryland *per annum* for each lot to the right hon the lord proprietary and his heirs for ever. 9. A ſaving of rights to the crown, the lord proprietary, all bodies politic porate, and all perſons not mentioned in this act.

CHAP. IV.

An ACT for the relief of Anthony Parker, Patrick Reyly and Cleborn Lomax, languiſhing pr ers in Charles county gaol. Lib. BLC. fol. 73. A Private Act.

CHAP. V.

An ACT for the relief of priſoners for debt. Lib. BLC. fol. 76.

To be in force for one year. Continued by 1735, ch. 15, for ſix months, and by 1736, ch. 3, for three years. Expired

CHAP. VI.

An ACT for emitting and making current ninety thouſand pounds current money of Maryl bills of credit. Lib. BLC. fol. 83.

CHAP. VII.

* 1715, ch. 43.

A Supplementary act to the * act for the ordering and regulating the militia of this provinc the better defence and ſecurity thereof. Lib. BLC. fol. 100.

CHAP. VIII.

An ACT for laying out and applying three thouſand five hundred pounds current money of land to the uſes therein mentioned. Lib. BLC. fol. 106.

CHAP. IX.

An ACT to empower the inhabitants of Anne-Arundel and Prince-George's counties to mak main branch of the river Patuxent navigable above Queen-Anne-town, in Prince-George's c aforeſaid. Lib. BLC. fol. 107.

CHAP. X.

An ACT for the aſſeſſment of ſo much tobacco on the inhabitants of St. Stephen's pariſh, in county, as will build them a new pariſh church, and a chapel of eaſe on Bohemia manor, ſaid pariſh. Lib. BLC. fol. 108.

CHAP. XI.

An ACT to continue an act, entitled, (a) An act for raiſing a duty of three-pence per hogſh all tobacco exported out of this province for the uſes therein mentioned. Lib. BLC. fol. 1

(a) 1732, ch. 30, hereby continued till 29th September, 1736.

CHAP. XII.

An ACT to continue the proceſs and proceedings in the provincial court and county court for trial of capital offences at the next provincial court, to be held the third Tueſday of May Lib. BLC. fol. 110.

CHAP. XIII.

An ACT for the erecting a town near the head of Monokin river, on the ſouth ſide thereof, merſet county, and for laying into lots twenty-five acres of land. Lib. BLC. fol. 111.

N. B. By this act, 1. Commiſſioners were empowered to purchaſe, by agreement or valuation of a jury, twenty-five land, out of a tract then ſuppoſed to belong to David Brown, near the head of Monokin, and to cauſe the ſame to be or a town, into thirty equal lots, allowing ſufficient ſpace for ſtreets, &c. and the lots (for better diſtinction) to be

ne to thirty. 2. The owner of the land to have his firſt choice for two lots, provided ſuch choice be made in four days rvey, and then the remaining lots to be taken up by others, paying the owner proportionably for the ſame, and ſuch pro- able payment to give the purchaſers, their heirs, &c. an abſolute eſtate of fee-ſimple in ſuch lots, they complying with uiſites in this act mentioned. 3. The ſurveyor to return a plot of the ſaid town to the county clerk, to be by him kept the county records. 4. In caſe any taker up of a lot ſhould not build thereon, within 18 months, an houſe with one brick y, to cover 400 ſquare feet, then might any other perſon enter upon ſuch lot not built upon, paying the ſum originally ſet uch lot to the commiſſioners, or perſon by them appointed to receive the ſame, for the benefit of the town, provided ſuch taker up do build, within eighteen months after ſuch his entry made, ſuch houſe as is by this act appointed to be built by t taker up, which houſe, ſo built, ſhall give as good an eſtate to ſuch ſecond taker up and builder, his heirs, &c. as is act ſettled upon the firſt taker up and builder. 5. Lots neglected to be taken up during ſeven years after publication of t ſhall revert to the owner of the land. 6. The town to be called Princeſs-Anne-town. 7. The commiſſioners to employ a nt clerk, upon oath to make true and impartial entries of their proceedings, in a well bound book, to be lodged with the f Somerſet county court for the inſpection of any perſon. 8. Proprietors of lots to pay one penny current money *per annum* h lot to his lordſhip and his heirs for ever. 8. A ſaving of rights to the crown, his lordſhip, all bodies politic and corpo- nd perſons not mentioned in this act.

he act of 1745, ch. 5, this town was laid out anew, as agreeable as might be to the original ſurvey, without incommoding tlements already thereon, and having regard to the ground originally laid out for public buildings, &c. and his lordſhip's r each lot to be one penny ſterling *per annum*. By the act of 1747, ch. 5, inhabitants of the ſaid town are prohibited, a certain penalty, from raiſing of ſwine and geeſe therein. The act of 1751, ch. 16, was made to aid the titles of pur- s of lots in the ſaid town, the land appearing to be an eſcheat to his lordſhip. And a ſupplementary act to the ſame was in 1753, ch. 33.

1734.

A SESSION of ASSEMBLY begun and held at the CITY of ANNAPOLIS, in the county of Anne-Arundel, for the province of Maryland, on the 20th day of March, in the 20th year of the dominion of the right honourable CHARLES, abſolute Lord and Proprietary of the provinces of Maryland and Avalon, Lord Baron of Baltimore, &c. *annoque domini* 1734, and ended the 24th day of April, *anno domini* 1735, the following laws were enacted.

SAMUEL OGLE, ESQUIRE, GOVERNOR.

CHAP. I.

ACT to adjourn the courts of aſſize, *niſi-prius*, and gaol delivery, provincial court, and to con- e the proceſs and proceedings in ſome of the county courts within this province, and to enlarge time for taking out executions. Lib. BLC. fol. 115. Paſſed 31ſt of March, 1735.

CHAP. II.

ACT for the explaining and carrying into execution an act, entitled, An act for laying out and ying three thouſand five hundred pounds current money of Maryland to the uſes therein men- ed. Lib. BLC. fol. 117. Paſſed 23d of April, 1735.

CHAP. III.

ACT to cut off the entail of two tracts of land in Baltimore county, the one called Morning's ice, the other called Morning's Choice Addition, and to entail in lieu thereof part of Vulcan's , in Cæcil county. Lib. BLC. fol. 118. A Private Act.

CHAP. IV.

ACT for relieving ſundry inhabitants in this province from the charges of proſecutions for not ing tobacco in purſuance of an act of aſſembly, entitled, * An act for emitting and making ent ninety thouſand pounds current money of Maryland in bills of credit. Lib. BLC. fol. 119. * 1733, ch. 6.

CHAP. V.

ACT to confirm the laſt will and teſtament of Rebecca Calvert, widow, deceaſed, who was the t and adminiſtratrix of the honourable Charles Calvert, Eſquire, deceaſed, and to enable the utors therein named to execute the ſaid teſtament, according to the true intent thereof. Lib. C. fol. 120. A Private Act.

CHAP.

CHAP. VI.

Passed 23d of April, 1735.

A Supplementary act to an act, entitled, * An act laying an impoſition on negroes, and ſeveral ſ of liquors imported, and alſo on Iriſh ſervants, to prevent the importing too great a numb Iriſh papiſts into this province. Lib. BLC. fol. 121.

* 1715, ch. 36.

This act was to continue for three years, &c. Farther continued by 1740, ch. 9, 1744, ch. 9, 1747, ch. 15, 175 1754, ch. 6, 1757, ch. 22, 1762, ch. 12, 1765, ch. 18, June, 1773, ch. 2, for twenty years. Expired.

CHAP. VII.

An ACT for naturalization. Lib. BLC. fol. 123.

To be in force three years, &c. Expired in 1740.

CHAP. VIII.

An ACT concerning ordinaries, and for the better regulating of innholders and ordinary-k within this province. Lib. BLC. fol. 124.

To be in force three years, &c. Expired in 1740.

CHAP. IX.

An ACT empowering the rector, veſtrymen and churchwardens of King and Queen pariſh, Mary's and Charles counties, to purchaſe two acres of land in the ſaid pariſh in St. Mary's co to build a church on, and for raiſing a fund, as well to complete the ſaid purchaſe and buildi to repair Newport church, in Charles county, within the ſaid pariſh. Lib. BLC. fol. 128.

CHAP. X.

An ACT for licenſing pedlers and hawkers. Lib. BLC. fol. 129.

To be in force three years, &c. Expired in 1740.

CHAP. XI.

An ACT for raiſing three-pence per hogſhead on all tobacco to be exported, for purchaſing arm ammunition for the defence of this province. Lib. BLC. fol. 131.

To be in force three years, &c. Expired in 1740.

CHAP. XII.

* 1729, ch. 17. An ACT repealing an act, entitled, * An act againſt engroſſers and regrators. Lib. BLC. fol.

CHAP. XIII.

An ACT to aid the defect in the certificate of acknowledgment of a certain deed of conve made and executed by and between William Pile, of Prince-George's county, gentleman, an zabeth his wife, of the one part, and Thomas Marſhall, of the county aforeſaid, of the other of part of a tract of land lying in the ſaid county, called Carrick. Lib. BLC. fol. 132. A vate Act.

CHAP. XIV.

An ACT reviving and continuing the (a) acts therein mentioned. Lib. BLC. fol. 132.

(a) 1731, ch. 3, and 1732, ch. 11, for three years, &c. both which expired in 1740.

CHAP. XV.

An ACT reviving an act of aſſembly, entiled, (b) An act for the relief of priſoners for debt. BLC. fol. 133.

(b) 1733, ch. 5, hereby continued ſix months.

CHAP. XVI.

An ACT to prevent the injuring harbours within this province, for repealing the act therein mentioned. Lib. BLC. fol. 133.

A Supplementary act 1774, ch. 18.

Preamble.

WHEREAS notwithſtanding the laws heretofore made for the preſervation of harbour landing places within this province, maſters of ſhips and veſſels, and others having the c or command of ſhips and veſſels, have cauſed or ſuffered great quantities of ballaſt, from on their ſhips and veſſels, to be thrown into the rivers and harbours within this province, whereby ſafe and very good harbours are already ſpoiled, or rendered dangerous, which practice, if not prevented, will be very hurtful to the trade and navigation of Great-Britain, and entirely deſtr to the trade and navigation of this province: And whereas the ſaid pernicious practices hav continued and carried on, becauſe, by the laws heretofore made, maſters of ſhips and veſſels, o perſons who have had the charge and command of ſhips and veſſels, and who therefore mig

o have prevented the ſaid miſchievous cuſtom, have not been ſubject to any penalty for ing their duty therein; wherefore it is prayed that it may be enacted, CHAP. XVI.

ND BE IT ENACTED, *by the right honourable the Lord Proprietary, by and with the advice and con- his lordſhip's Governor, and the Upper and Lower Houſes of Aſſembly, and the authority of the ſame,* om and after the publication of this act, if any ballaſt ſhall be taken, unladen, or caſt out of p or other veſſel, on any pretence whatſoever, within the limits hereafter mentioned, but in -time; that is to ſay, between the riſing and ſetting of the ſun, or if any ballaſt ſhall be un- or taken out of any ſhip or veſſel in the bay of Cheſapeake, above Cedar point, below the of Patuxent river, in any river, creek or harbour, within this province, and caſt into the ve Cedar point aforeſaid, or into any river, creek or harbour, below high-water mark, that ſter, or other perſon having the charge or command of ſuch ſhip or veſſel, ſhall forfeit and ſum of fifty pounds current money, one half thereof to the lord proprietary, for the ſupport rnment, the other half to him or them who will ſue for the ſame, to be recovered in any f record within this province by action of debt, bill, plaint or information, wherein no eſſoin, ion, or wager of law to be allowed. Ballaſt not to be unladen, &c.

774, ch. 18, in all actions, &c. under this act, ſpecial bail may be awarded, on affidavit being made, and full coſts to the or informer on judgment.

ND BE IT ENACTED, *by the authority aforeſaid*, That no perſon whatſoever ſhall preſume to y wear or hedge croſs any river, creek or branch, below any public landing place, ſo as to e or dam up the channel, or to obſtruct the paſſage of boats, on pain of forfeiting ten pounds money of Maryland, to be recovered in the proper county court by action of debt, bill, r information, wherein no eſſoin, protection, or wager of law ſhall be allowed. Wears, &c. not to be built, &c.

ND, to the end, that all maſters, and other perſons having the command or charge of ſhips ls, may have due notice of this act, and not pretend ignorance, BE IT ENACTED, *by the au- foreſaid*, That every naval-officer within this province ſhall ſet up, and keep fixed in ſome lace in his office, a copy of this act, (for which copy the ſaid naval-officers ſhall be allowed lings in the public levy,) on pain of forfeiting ten pounds current money of Maryland, to be d as aforeſaid, to the uſes aforeſaid. Copies to be ſet up, &c.

This ſection is rendered inoperative by the naval-officers being under the direction of the general government.

ND BE IT FURTHER ENACTED, That an act, entitled, An act for the preſervation of the harbours within this province, made at an aſſembly, held at Annapolis the fifth day of De- in the year of our Lord one thouſand ſeven hundred and four, * ſhall be, and is, by virtue act, repealed and abrogated. Act repealed.

* 1704, ch. 90.

his act to continue for three years, and until the end of the ſeſſion of aſſembly which ſhall ppen after the end of the ſaid three years. Duration.

t was farther continued by 1740, ch. 8, and 1744, ch. 6, for three years, &c. but by 1747, ch. 13, is made perpetual.

CHAP. XVII.

T to ſupply ſome defects in an act, entitled, * An additional and ſupplementary act to the l acts for the adminiſtration of juſtice in teſtamentary affairs. Lib. BLC. fol. 134. Paſſed 23d of April, 1735.

* 1729, ch. 24.

ct appears to be repealed by 1798, 101, and the proviſions which it contained are ſupplied by ch. 14, ſection 11, of that

CHAP. XVIII.

T for reviving an act of aſſembly, entitled, (a) An act for the advancement of juſtice, as al- act of aſſembly, entitled, (b) A ſupplementary act to the act for the advancement of juſtice. BLC. fol. 136.

(a) 1723, ch. 12. (b) 1730, ch. 10, hereby continued three years, &c.

CHAP. XIX.

T continuing and reviving the ſeveral (c) acts therein mentioned. Lib. BLC. fol. 136.

(c) 1714, ch. 4, and 1728, ch. 24, hereby continued three years. &c. Expired.

CHAP. XX.

T for limitation of the time of ſhipping tobacco. Lib. BLC. fol. 137. Repealed 1737,

CHAP. XXI.

T to confirm a deed of mortgage already recorded from a certain Thomas Howel, of Kent to Edward Beck, of the ſaid county, attorney in fact for a certain Caſper Hoodt. Lib. fol. 137. A Private Act.

CHAP.

CHAP. XXII.

Passed 23d of April, 1735. An ACT for applying the duty of three-pence per hogſhead raiſed by the act therein mentioned. Lib. BLC. fol. 138.

CHAP. XXIII.

An ACT to enable the ſecretary of this province for the time being to record and enter up the proceedings of the provincial court, which were omitted to be done during the continuance of W. Denton in the office of clerk of the ſaid court. Lib. BLC. fol. 139.

CHAP. XXIV.

An ACT for the taking out of the office of commiſſioners or truſtees for emitting the bills of credit the ſeveral ſums herein mentioned, and for repaying the ſame into the ſaid office by the ſeveral treaſurers of this province. Lib. BLC. fol. 140.

CHAP. XXV.

Passed 24th of April, 1735. An ACT for defraying the public charge of this province. Lib. BLC. fol. 141.

1736. At a SESSION of ASSEMBLY begun and held at the CITY of ANNAPOLIS, the 20th day of April, in the 21ſt year of the dominion of the right honourable CHARLES, abſolute Lord and Proprietary of the provinces of Maryland and Avalon, Lord Baron of Baltimore, &c. *annoque domini* 1736, and ending the 6th May following, the following laws were enacted.

SAMUEL OGLE, ESQUIRE, GOVERNOR.

CHAP. I.

Passed 6th of May, 1736. An ACT reviving and continuing an act of aſſembly of this province, entitled, (a) An act for the ſpeedy recovery of ſmall debts out of court before a ſingle juſtice of peace. Lib. BLC. fol.

(a) 1732, ch. 27, hereby continued three years, &c.

CHAP. II.

An ACT to continue an act, entitled, (b) An act for raiſing a duty of three-pence per hogſhead on all tobacco exported out of this province for the uſes therein mentioned. Lib. BLC. fol.

(b) 1732, ch. 30, hereby continued till 29th September, 1739.

CHAP. III.

An ACT to continue an act of aſſembly of this province, entitled, (c) An act for the better relief of poor debtors. Lib. BLC. fol. 144.

(c) 1722, ch. 13, hereby continued three years, &c.

CHAP. IV.

A Supplementary act to the act, entitled, (d) An act for emitting and making current ninety thouſand pounds current money of Maryland in bills of credit, and to reſtrain ſome evil practices of ſheriffs under colour of the ſaid act committed. Lib. BLC. fol. 145.

(d) 1733, ch. 6. This act to continue in force three years, &c. and expired in 1740.

CHAP. V.

An ACT for continuing an act of aſſembly of this province, entitled, (e) An act to prevent cutting up tobacco plants, deſtroying of tobacco and tobacco-houſes, and for aſcertaining the puniſhment of criminals guilty of the ſaid offences. Lib. BLC. fol. 146.

(e) 1732, ch. 8, hereby continued three years, &c.

CHAP. VI.

ACT for building a public gaol in Annapolis. Lib. BLC. fol. 146.

Paſſed 6th of May, 1736.

WHEREAS it is neceſſary to build a public gaol in the city of Annapolis, with ſuch conveniencies as may render confinement leſs grievous, as well as ſecure priſoners ; Preamble.

BE IT THEREFORE ENACTED, *by the right honourable the Lord Proprietary, by and with the advice and conſent of his lordſhip's Governor, and the Upper and Lower Houſes of Aſſembly, and the authority of the ſame*, That the honourable colonel Charles Hammond, of the upper houſe, Mr. Philip Hammond, Michel Denton, Daniel Dulany, Eſquire, and Mr. Richard Warfield, or the major part of them, are commiſſioners, and are authoriſed and empowered by virtue of this act to purchaſe, for the uſe of the public, a convenient piece of ground within the city of Annapolis, whereon to build a new gaol, and to agree for materials, and with workmen to complete and finiſh the ſaid priſon, and the priſon, when ſo built and finiſhed, ſhall by the ſaid commiſſioners be put into the poſſeſſion and cuſtody of the ſheriff of Anne-Arundel county for the time being, and ſo ſhall remain and continue in the cuſtody and poſſeſſion of ſuch ſheriff, and his ſucceſſors. Commiſſioners appointed, &c.

PROVIDED ALWAYS, That it ſhall and may be lawful for the provincial court to commit any perſons for debt, or for any other cauſe whatſoever, to the cuſtody of the ſaid ſheriff of Anne-Arundel county, to be by him in the ſaid priſon detained, according to ſuch commitment, or to be removed to any other priſon, as the law or nature of the caſe may require. Proviſo.

PROVIDED ALWAYS, That this act, or any thing herein contained, ſhall not be conſtrued to give the ſaid provincial court any power or juriſdiction contrary to the true intent and meaning of an act entitled, An act for taking ſpecial bail in the ſeveral counties of this province upon actions or proceedings depending in his majeſty's provincial court, and in the ſeveral county courts of this province, whereby the ſheriff or ſheriffs actions or proſecutions for the eſcape of ſuch priſoners may be brought and commenced, as in any other caſe of commitment and eſcape, according to law. Proviſo.

AND BE IT FURTHER ENACTED, That beſides the ſum of five hundred pounds current money appointed to be expended for building a priſon for Anne-Arundel county, in and by the act, entitled, An act for emitting and making current ninety thouſand pounds current money of Maryland, bills of credit, a further ſum, not exceeding one thouſand pounds current money, ſhall be laid out to purchaſe convenient ground as aforeſaid, and to build a gaol thereon, which ſum of one thouſand pounds, or ſo much thereof as ſhall be neceſſary for the purpoſes aforeſaid, ſhall be paid by the commiſſioners or truſtees for emitting the bills of credit, and their ſucceſſors, and as well the ſaid ſum of five hundred pounds, as the ſaid further ſum of one thouſand pounds, ſhall be paid to the orders of the commiſſioners aforeſaid, or the majority of them. A further ſum to be paid, &c.

CHAP. VII.

ACT relating to the placing and building a priſon in Somerſet county. Lib. BLC. fol. 147.

CHAP. VIII.

ACT enabling the commiſſioners or truſtees for emitting the bills of credit, eſtabliſhed by act of aſſembly, to pay to the repreſentatives of ſeveral counties the ſum of five hundred pounds each. Lib. BLC. fol. 147.

CHAP. IX.

ACT aſcertaining the gauge and tare of tobacco hogſheads, and to prevent cutting, cropping and defacing tobacco taken on board ſhips or veſſels upon freight. Lib. BLC. fol. 148.

Was in force three years, &c. Continued 1740, ch. 10, 1744, ch. 7, and by 1747, ch. 26, till the 1ſt December, 1748, when it expired at the commencement of the inſpection law.

CHAP. X.

ACT to cut off the entail of a tract of land, lying in Dorcheſter county, called Anderton's Choice, containing one hundred and eight acres, and to entail in lieu thereof one hundred and eight acres of land, lying in the ſaid county, being part of a tract called Richardſon's Choice. Lib. BLC. fol. 150. A Private Act.

CHAP. XI.

ACT for the payment of a ſum of money to Andrew Ramſay, Henry Maccaul and William Glaſſon, of Glaſgow, in the kingdom of Great-Britain, merchants. Lib. BLC. fol. 150. A Private Act.

CHAP. XII.

Paſſed 6th of May, 1736.

An ACT for the further aſſeſſment of twenty thouſand pounds of tobacco on the taxable inhabi of Durham pariſh, in Charles county, to be applied to the finiſhing of a new church in th pariſh, already begun to be built. Lib. BLC. fol. 151.

CHAP. XIII.

An ACT for the further aſſeſſment of ſo much money on the taxable inhabitants of King and pariſh, in St. Mary's and Charles counties, as will build a new church in that part of the which lies in St. Mary's county, for the repairing of Newport church in the ſame pariſh, appoint a time for the freeholders to meet in order to chooſe a place to build the ſaid church Lib. BLC. fol. 151.

CHAP. XIV.

An ACT for the building a court-houſe and repoſitory for the records in Leonard-town, Mary's county. Lib. BLC. fol. 153.

CHAP. XV.

An ACT to render the navigation up Patuxent river above Queen-Anne-town, in Prince-G county, more eaſy and effectual. Lib. BLC. fol. 154. A Private Act.

CHAP. XVI.

An ACT to cut off the entail of a tract of land, containing one hundred and thirty acres, Dorcheſter county, being part of a tract of land called Goodridge's Choice, and to entail thereof, a tract of land called The Hope, containing fifty acres, alſo another tract call Addition to the Hope, containing one hundred and ſeventeen acres, both lying in the ſaid of Dorcheſter. Lib. BLC. fol. 155. A Private Act.

CHAP. XVII.

* 1732, ch. 17. An explanatory act of the act, entitled, * An act to encourage adventurers in iron-works BLC. fol. 156. Repealed by November, 1779, ch. 14.

CHAP. XVIII.

An ACT for the relief of Iſaac Tumey, a languiſhing priſoner in Talbot county gaol, Pratt, in the ſame gaol, Richard Standforth, in Charles county gaol, and Samuel Steel, in Anne's county gaol. Lib. BLC. fol. 157. A Private Act.

CHAP. XIX.

An ACT for erecting a town in Cæcil county, on the north ſide of Saſſafras river, at a place by the name of Pennington's Point, on the tracts of land called Buntington and Happy H Lib. BLC. fol. 160.

N. B. By this act, 1. Certain commiſſioners are appointed and empowered to purchaſe, (by agreement with the valuation of a jury,) thirty acres of land, out of the tracts aforeſaid, and the ſame to lay out into ſixty equal lots, to into a town. 2. The owners of the land to have the firſt choice, the remaining lots to be taken up by others. 3. No take up more than one lot during the firſt four months, nor any other than inhabitants of the county within ſix m laying out, and then any others may take up lots, paying the owners of the land proportionably for the ſame, which ſuch purchaſers, their heirs, &c. an abſolute eſtate in fee-ſimple in ſuch lots, they complying with the requiſites of th The ſurveyor to return a plot of the town to the county clerk, to be kept by him among the county records. 5. takers up do not build upon ſuch lots, within two years, a houſe to cover four hundred ſquare feet, with a brick chi any other perſon may enter upon ſuch lot, ſo not built upon, paying ſuch ſum to the commiſſioners, &c. as was firſt for the public uſe of the town; and ſuch ſecond taker up, building and finiſhing within three years ſuch houſe as limitted and appointed, ſhall thereby acquire as good an eſtate, to him and his heirs, as is by this act before ſettled up taker up and builder. 6. In caſe any lots remain not taken up within ten years from the publication of this act, th owner of the land be poſſeſſed and intereſted in ſuch lots as in his firſt and former eſtate. 7. The town to be called town. 8. The commiſſioners to employ a clerk, who ſhall make true entries of their proceedings, on oath, which made up in a bound book, and lodged with the clerk of Cæcil county court, for the inſpection of any perſon. 9. A ſa majeſty's, the proprietary's, &c. rights. 10. Poſſeſſors of lots to pay one penny ſterling *per annum* to his lordſhip each Lot. 11. The land to be laid out with as little detriment as poſſible to ſuch perſons as had already purchaſed lots land, which former purchaſers to have as good title to their ſeveral lots as any after purchaſers, by virtue of th have.

CHAP. XX.

An ACT to prevent the making of ſeconds. Lib. BLC. fol. 162.

To be in force three years, &c. Expired in 1740.

CHAP. XXI.

An ACT for erecting a town in Kent county, on the ſouth ſide of Saſſafras river, on a tra called Tolcheſter, at the place where the ferry is now kept. Lib. BLC. fol. 162.

N. B. By this act, 1. Certain commiſſioners are appointed and empowered to purchaſe, (by agreement with the valuation of a jury,) ſixty acres of land out of the tract aforeſaid, moſt convenient to the ferry landing, (not includ

laid out and ſold by Gideon Pierce, gentleman, to ſundry perſons,) to be laid out into one hundred lots, and erected into 2. The owner of the land to have the firſt choice for two lots, and after ſuch choice the remaining lots to be taken up s; no perſon to take up more than one lot within four months after laying out, and ſuch lots to be purchaſed by inhabi- the county, but in caſe ſuch do not take up the lots within ſix months after laying out, then any other perſon may take paying the owners of the land proportionably for the ſame; and ſuch proportionable payment ſhall give the takers up of ir heirs or aſſigns, an abſolute eſtate in fee-ſimple in their lots, they complying with the requiſites in this act mentioned. county ſurveyor to return a plot of the town, and the lots before laid out and ſold as aforeſaid, to the county clerk, to be kept among the county records. 4. In caſe the takers up of lots do not, within three years, build upon their lots a houſe four hundred ſquare feet, with a brick chimney thereto, then may any other perſon enter upon the lots ſo not built on, to the commiſſioners, or perſon by them appointed to receive the ſame, ſuch ſum as was originally aſſeſſed on ſuch lot, for ic benefit of the town, provided ſuch ſecond taker up do build and finiſh, within 7 years after ſuch his entry made, ſuch is by this act afore-appointed, which houſe ſo built ſhall give ſuch ſecond taker up, his heirs, &c. as good eſtate as is by ſettled upon the firſt taker up. 5. If any of the ſaid 100 lots be not taken up during 10 years from the publication of the owner of the land ſhall be poſſeſſed and intereſted in the ſame as in his firſt or former eſtate. 6. The town to be eorge-town. 7. The commiſſioners to employ a ſufficient clerk, ſworn to make true and impartial entries of their pro- , which entries ſhall be made up in a well bound book, and lodged with the county clerk for the inſpection of any perſon. g to the crown, the lord proprietor, and all bodies politic and corporate, and to all perſons that heretofore have purchaſed veyed to them any lot aforeſaid adjoining to the ſaid 60 acres, and all perſons not mentioned in this act, their ſeveral 9. Poſſeſſors of lots to pay one penny ſterling *per annum* for every lot to the lord proprietor and his heirs for ever. former purchaſers of lots near the ferry landing to have as good a title to ſuch lots as any after takers up by virtue of may have; and ſuch lots, ſo heretofore taken up and conveyed, ſhall be reputed and taken as part of George-town.

C H A P. XXII.

lementary act to an act, entitled, (a) An act for the trial of all matters of fact in the coun- here they have ariſen, or ſhall ariſe, the continuance of cauſes in the provincial court, and nment of that court, and for continuing the ſame, and for the continuance of cauſes in the cial and county courts, and to enlarge the time for taking out execution. Lib. BLC. fol. Paſſed 6th of May, 1736.

(a) 1732, ch. 1, hereby continued three years, &c. which, together with the preſent act, expired in 1740.

C H A P. XXIII.

T to enlarge the time of ſhipping tobacco this preſent year. Lib. BLC. fol. 167. Expired.

C H A P. XXIV.

T for the payment of the public levy. Lib. BLC. fol. 167.

SESSION of ASSEMBLY begun and held at the City of NAPOLIS, the 26th day of April, in the 22d year of the minion of the right honourable Charles, abſolute Lord and Pro- etary of the provinces of Maryland and Avalon, Lord Baron of timore, &c. and ended the 28th day of May, *anno domini* 1737, following laws were enacted. 1737.

SAMUEL OGLE, Esquire, Governor.

C H A P. I.

T for the further explaining and carrying into execution an act for laying out and applying thouſand five hundred pounds current money of Maryland to the uſes therein mentioned. LC. fol. 169. Paſſed 28th of May, 1737.

C H A P. II.

CT for the more effectual puniſhment of certain offenders, and taking from them the benefit of clergy. Lib. BLC. fol. 170.

SMUCH as all the laws heretofore made for the puniſhment of offenders, and for ſecuring eſt men in their juſt property, are found by experience to be inſufficient for thoſe purpoſes, the poorer ſort of people, who are obliged, for want of better conveniencies, to keep their tobacco-houſes, and other out-houſes, are more expoſed to be pillaged and robbed of their Preamble.

CHAP. II.

ſubſtance than perſons of greater ability, and that conſiderable part of the property of people of conditions, are kept in out-houſes, not only remote from their dwelling-houſes, but alſo very w themſelves, and eaſily broken, which hath given frequent opportunities to offenders to break ſuch houſes, and to ſteal from thence divers goods and chattels, to the utter undoing of ſome perſons, and the prejudice of all ſufferers: And whereas ſeveral other offenders have ſtolen boats other veſſels, and even ſlaves, which practice is of the moſt dangerous tendency, and may, if timely prevented, occaſion piracies, and all manner of villainies, and that offenders have been couraged to commit the ſaid crimes by the lenity of our laws, and expectation of having the b of clergy, when detected; for the more effectual prevention of which crimes, and puniſhm ſuch offenders as ſhall commit any of them,

Penalty on perſons breaking tobacco, &c.

II. BE IT ENACTED, *by the right honourable the Lord Proprietary, by and with the advice and conſent Lordſhip's Governor, and the Upper and Lower Houſes of Aſſembly, and the authority of the ſame,* T perſon or perſons who ſhall, after the tenth day of September next, break any tobacco-houſe, or out-houſes whatſoever, and ſteal from thence any goods or chattels, to the value of five ſh ſterling, or who ſhall counſel, hire, command, aid or abet, any perſon or perſons to commit th offences, or who ſhall be acceſſaries to any of the ſaid offences, and be thereof convict, by con upon his, her or their arraignment, verdict of a jury, or be out-lawed, or who ſhall obſtinately malice ſtand mute, or peremptorily challenge above twenty, ſhall ſuffer death as a felon or without benefit of clergy.

Proviſo.

III. PROVIDED ALWAYS, That ſuch tobacco-houſe, or other out-houſes, ſhall be well board otherwiſe ſubſtantially built, and the door or doors thereof ſecured with a lock or locks, or bo the inſide, or nailed.

Penalty on perſons ſtealing boats, &c.

IV. AND BE IT LIKEWISE ENACTED, *by the authority, advice and conſent aforeſaid,* That any or perſons, who, after the ſaid tenth day of September, ſhall ſteal any ſhip, ſloop, or other whatſoever, out of any place within the body of any county within this province, of ſeventee or upwards, by the keel, and ſhall carry the ſame ten miles, or upwards, from the place wh ſhall be ſtolen, or who ſhall ſteal any negro or other ſlave, or who ſhall counſel, hire, aid, command, any perſon or perſons to commit the ſaid offences, or who ſhall be acceſſaries to t offences, and ſhall be thereof legally convicted as aforeſaid, or out-lawed, or who ſhall obſti or of malice, ſtand mute, or peremptorily challenge above twenty, ſhall ſuffer death as a f felons, and be excluded the benefit of clergy.

Proviſo.

V. PROVIDED ALWAYS, That when and as often as any ſlave or ſlaves ſhall be convict offence, contrary to this or any other law, and ſhall be actually executed, or who ſhall die a demnation, and under confinement in order for execution, that the owner ſhall be paid the ful of ſuch ſlave or ſlaves, ſuch value to be adjudged by the court before whom the fact ſhall be t the time of the condemnation of ſuch ſlave or ſlaves.

Treaſurer to pay, &c.

VI. AND BE IT FURTHER ENACTED, That the treaſurer or treaſurers of this province for t being, upon a certificate from the ſheriff of the execution of any ſuch ſlave or ſlaves, or the ſuch ſlave or ſlaves after conviction, and under confinement in order for execution, immediate pay the owner or owners of ſuch ſlave or ſlaves what ſuch ſlave ſhall be valued at as aforeſaid the public ſtock of this province, in the hands of ſuch treaſurer or treaſurers, without fee or

Duration.

VII. This act to continue three years, and to the end of the next ſeſſion of aſſembly wh happen after the end of the ſaid three years.

Farther continued by 1740, ch. 6, 1744, ch. 17, 1747, ch. 14, 1751, ch. 2, 1754, ch. 4, 1757, ch. 24, 1762, ch. ch. 20, June, 1773, ch. 2, October, 1780, ch. 12, May, 1781, ch. 29, November, 1782, ch. 32, 1789, ch. 56, and till tober, 1798, by 1796, ch. 64, when it expired. Revived and continued (and all acts done under it confirmed,) by 17 and by 1798, ch. 71, enacted into a permanent law.

CHAP. III.

Paſſed 28th of May, 1737.

An ACT for docking the entail of a tract of land called Wilſon's Grove, in the county of Arundel, and veſting the ſame in Lewis Duvall, in fee-ſimple, and for ſettling other lands a ments to the ſame uſes. Lib. BLC. fol. 171. A Private Act.

CHAP. IV.

An ACT for ſecuring the rights and inheritances of ſundry perſons to the lots by them paid for and built upon, in Leonard-town, in St. Mary's county. Lib. BLC. fol. 173.

C

CHAP. V.

CT empowering the juſtices of Cæcil county court to levy on the taxable inhabitants of St. hen's, North-Saſſafras pariſh, the ſum of two hundred and eighty pounds current money of yland, at two equal aſſeſſments. Lib. BLC. fol. 173. Paſſed 28th of May, 1737.

CHAP. VI.

CT to empower the juſtices of St. Mary's county court to purchaſe land whereon to build a n. Lib. BLC. fol. 174.

CHAP. VII.

plementary act to the act, entitled, * An act for the more effectual puniſhment of negroes and r ſlaves, and for taking away the benefit of clergy from certain offenders, and to an act, entitled, n act to prevent the tumultuous meeting and other irregularities of negroes and other ſlaves, directing the manner of trying of ſlaves. Lib. BLC. fol. 175. * 1729, ch. 24. † 1723, ch. 15.

This act was paſſed for three years, &c. and continued by 1740, ch. 7, 1744, ch. 18, and 1747, ch. 16. Expired.

CHAP. VIII.

CT to encourage the apprehending ſome felons, and for trying acceſſaries to felonies by them nitted before conviction of the principals. Lib. BLC. fol. 178.

CHAP. IX.

CT for the relief of William Torvor, of London, merchant. Lib. BLC. fol. 179. A Pri- Act.

CHAP. X.

plementary act to the act, entitled, * An act for erecting a town in Kent county, on the ſouth of Saſſafras river, on a tract of land called Tolcheſter, at the place where the ferry is now . Lib. BLC. fol. 180. * 1736, ch. 21.

CHAP. XI.

plementary act to the act for erecting a town at Joppa, in Baltimore county. Lib. BLC. 181.

CHAP. XII.

CT to cut off the entail of two acres of land, part of a tract called New-Year's-Gift. Lib. . fol. 182.

Viz. For the uſe of Queen-Caroline pariſh, in Anne-Arundel county, being the land whereon the church is built.

CHAP. XIII.

plementary act to the act, entitled, (a) An act for the ſpeedy and more effectual publication he laws of this province, and for the encouragement of William Parks, of the city of Anna- , printer. Lib. BLC. fol. 183.

(a) 1727, ch. 8, which expired in 1740.

A SESSION of ASSEMBLY, begun and held at the CITY of NNAPOLIS, the 11th day of Auguſt, in the 23d year of the ominion of the right honourable CHARLES, abſolute Lord and roprietary of the Provinces of Maryland and Avalon, Lord Baron Baltimore, &c. and ended the 16th day of the ſame month, *no domini* 1737, the following laws were enacted.

SAMUEL OGLE, ESQUIRE, GOVERNOR.

CHAP. XIV.

CT to (b) prohibit the exportation of grain, bread and flour. Lib. BLC. fol. 185. Paſſed 16th of Auguſt, 1737.

(b) Till the laſt day of September, 1738. Expired

CHAP.

CHAP. XV.

Paſſed 16th of Auguſt, 1737. * 1735, ch. 20.

An ACT repealing an act, entitled, * An act for limitation of the time in ſhipping tobacco. Lib. BLC. fol. 188.

CHAP. XVI.

An ACT for the continuance of actions in ſeveral county courts in this province. Lib. BLC. 188.

CHAP. XVII.

An ACT for the relief of John Bradford, a languiſhing priſoner in Prince-George's county g Lib. BLC. fol. 189. A Private act.

CHAP. XVIII.

An ACT for taking out of the office of the commiſſioners or truſtees for emitting the bills of c the ſeveral ſums herein mentioned, and for repaying the ſame into the ſaid office by the ſe treaſurers of this province. Lib. BLC. fol. 191.

1740. At a SESSION of ASSEMBLY begun and held at the City of A NAPOLIS, the 23d day of April, in the 25th year of the do nion of the right honourable Charles, abſolute Lord and P prietary of the provinces of Maryland and Avalon, Lord Ba of Baltimore, &c. *annoque domini* 1740, and ended the 5th of June following, in the 26th year of his Lordſhip's domini the following law was enacted, viz.

SAMUEL OGLE, Esquire, Governor.

CHAP. I.

Paſſed 3d of June, 1740.

An ACT for iſſuing and paying out of the office of the commiſſioners or truſtees for emitting bi credit, eſtabliſhed by act of aſſembly, the ſum of two thouſand five hundred and ſixty-two p ten ſhillings current money in bills of credit, to be applied for the encouragement of pe voluntarily enliſting themſelves in his majeſty's ſervice. Lib. BLC. fol. 192.

At a SESSION of ASSEMBLY begun and held at the City ANNAPOLIS, the 7th day of July, in the 26th year of the minion of the right honourable Charles, abſolute Lord and prietary of the provinces of Maryland and Avalon, Lord Baro Baltimore, &c. *annoque domini* 1740, and ended the 29th da the ſame month, the following laws were enacted.

SAMUEL OGLE, Esquire, Governor.

CHAP. II.

Paſſed 26th of July, 1740.

An ACT for raiſing and iſſuing money for maintaining his majeſty's forces to be raiſed in th vince, and for tranſporting them to the place of rendezvous in the Weſt-Indies. Lib. BL

CHAP. III.

CT for the indemnity of ſuch perſons as ſhall be employed in tranſporting his majeſty's troops, raiſed in this province, to the general rendezvous in the Weſt-Indies. Lib. BLC. fol. 204. Paſſed 26th of July, 1740.

CHAP. IV.

CT for the ſpeedy and effectual publication of the laws of this province, and for the engement of Jonas Green, of the city of Annapolis, printer. Lib. BLC. fol. 205. Paſſed 29th of July, 1740.

To continue in force till the laſt day of December, 1742. Expired.

CHAP. V.

CT reviving an act of aſſembly of this province, entitled, (a) An act to prevent cutting up cco plants, deſtroying tobacco and tobacco-houſes, and for aſcertaining the puniſhment of inals guilty of the ſaid offences. Lib. BLC. fol. 207.

(a) 1732, ch. 8, hereby continued three years, &c.

CHAP. VI.

CT continuing an act of aſſembly of this province, entitled, (b) An act for the more effectual lhment of certain offenders, and for taking from them the benefit of clergy. Lib. BLC. fol.

(b) 1737, ch. 2, hereby continued three years, &c.

CHAP. VII.

CT continuing an act of aſſembly of this province, entitled, (c) A ſupplementary act to the entitled, An act for the more effectual puniſhment of negroes and other ſlaves, and for taking the benefit of clergy from certain offenders, and to an act, entitled, An act to prevent the ltuous meeting and other irregularities of negroes and other ſlaves, and directing the manner ying ſlaves. Lib. BLC. fol. 208.

(c) 1737, ch. 7, hereby continued three years, &c.

CHAP. VIII.

CT reviving an act, entitled, (d) An act to prevent the injuring harbours within this province, for repealing the act therein mentioned. Lib. BLC. fol. 209.

(d) 1735, ch. 16, hereby continued three years, &c.

CHAP. IX.

CT reviving an act, entitled, (e) A ſupplementary act to the act, entitled, An act laying an ſition on negroes, and ſeveral ſorts of liquors imported, and alſo on Iriſh ſervants, to prevent mporting too great a number of Iriſh papiſts into this province. Lib. BLC. fol. 209.

(e) 1735, ch. 6, hereby continued three years, &c.

CHAP. X.

CT for reviving an act of aſſembly of this province, entitled, (f) An act aſcertaining the gauge tare of tobacco hogſheads, and to prevent cutting, cropping and defacing tobacco taken on d ſhips or veſſels upon freight. Lib. BLC. fol. 210.

(f) 1736, ch. 9, hereby continued three years, &c.

CHAP. XI.

CT for the benefit of the poor, and encouragement of induſtry. Lib. BLC. fol. 210.

To remain in force for three years. Continued by 1744, ch. 19, and expired July, 1747.

CHAP. XII.

CT for the relief of Samuel Deavor, a languiſhing priſoner in Anne-Arundel county gaol, nael Taylor, a languiſhing priſoner in Prince-George's county gaol, William Burros, a languiſhpriſoner in Kent county gaol, James Carter, a languiſhing priſoner in Cæcil county gaol, Sarah ther, a languiſhing priſoner in Dorcheſter county gaol, and William Biggs, a languiſhing prir in St. Mary's county gaol. Lib. BLC. fol. 211. A Private Act.

At a SESSION of ASSEMBLY begun and held at the City of ANNAPOLIS, the 26th day of May, in the 26th year of the dominion of the right honourable CHARLES, abſolute Lord and Proprietary of the provinces of Maryland and Avalon, Lord Baron of Baltimore, &c. *anno domini* 1741, and ended the 22d day of June following, in the 27th year of his lordſhip's dominion, the following laws were enacted.

SAMUEL OGLE, Esquire, Governor.

CHAP. I.

Paſſed 22d of June, 1741.

An ACT to enable the viſitors of the free-ſchool of Kent county for the time being to leaſe one moiety of the land, except ten acres, belonging to the ſame ſchool. Lib. BLC. fol. 215.

Preamble.

WHEREAS the viſitors of the free-ſchool of Kent county, by their petition to this general aſſembly, have ſet forth, that the moiety of the land belonging to the ſame ſchool, aſſigned for the conveniency of making corn and grain, and for paſturage to the maſter, lying contiguous to Chester-town, would prove of much greater advantage if the ſame was divided into ſmall lots or parcels and leaſed out to the inhabitants of the ſaid town, and others of the neighbourhood, for paſture and meadow ground, than if made uſe of as the act of aſſembly directs, beſides, that the making of corn and grain muſt neceſſarily take up ſome part of the maſter's time, which ought to be employed in attendance on the ſchool, and being apprehenſive that leaſes of the ſame land, made either by the maſter, would not be binding on a ſucceeding maſter, in caſe of death or removal, and therefore prayed an act of aſſembly to enable them to make ſuch leaſes, which is thought reaſonable to grant.

Viſitors to divide the land, &c.

II. BE IT THEREFORE ENACTED, *by the right honourable the Lord Proprietary, by and with the advice and conſent of his lordſhip's Governor, and the Upper and Lower Houſes of Aſſembly, and the authority of the ſame*, That the viſitors of Kent county free-ſchool for the time being, or the major part of them, be and are hereby authoriſed and empowered to divide and lay out all that northernmoſt or upper moiety of the land belonging to, and purchaſed for, the uſe of the free-ſchool aforeſaid, except ten acres, into ſo many convenient lots or parcels as to them, or the major part of them, ſhall ſeem meet, not exceeding the quantity of three acres to each lot, and the ſame, ſo divided and laid out, to number and diſtinguiſh by the numbers one, two, three, and ſo on, and to demiſe and leaſe out the ſame to the higheſt bidders, ten days public notice being firſt given, for any term of years, not exceeding twenty-one years, under ſuch yearly rents as the ſame viſitors, or the major part of them, ſhall think proper and reaſonable.

Leaſes to be good, &c.

III. AND BE IT FURTHER ENACTED, That all ſuch leaſes as the aforeſaid viſitors, or the major part of them, ſhall make of the land aforeſaid, according to the directions of this act, ſhall be good and valid to the perſon or perſons taking the ſame for the terms therein mentioned, and ſhall be binding as well on the maſter of the ſame ſchool at the time of making ſuch leaſe or leaſes, as on any ſucceeding maſter or maſters who ſhall be admitted to, or put in poſſeſſion of, the ſame ſchool, at any time after the making of the ſame leaſe or leaſes, any law, ſtatute, other act of aſſembly, uſage or cuſtom, to the contrary notwithſtanding.

How the rents are to be applied.

IV. AND BE IT FURTHER ENACTED, *by the authority aforeſaid*, That the monies ariſing on the leaſes aforeſaid, for the rents of the lands aforeſaid, ſhall be applied to the uſe of, and paid to the maſter of, the ſchool aforeſaid for the time being, and not otherwiſe; and if it ſhall happen at any time during the continuance of any ſuch terms, that there be no maſter of the ſaid ſchool, that then and in every ſuch caſe all monies ariſing on ſuch leaſes, during ſuch vacancy, ſhall be paid to, and received by the viſitors aforeſaid, and by them, or the major part of them, laid out and applied to the uſe and benefit of the ſaid ſchool, as to them, or the major part of them, ſhall ſeem meet.

CHA

CHAP. II.

T for laying out and applying a ſum, not exceeding two hundred and fifty pounds current y, to the uſes therein mentioned. Lib. BLC. fol. 216. Paſſed 22d of June, 1741.

CHAP. III.

T to cut off the entail of a parcel of land, called Roper's Neck, and to enable Benjamin Ho- to convey the ſame in fee in exchange for other lands. Lib. BLC. fol. 216. A Private Act.

CHAP. IV.

T for the relief of John Blandford, and Hannah Ratcliff. Lib. BLC. fol. 217. A Private

CHAP. V.

T for the continuance of Baltimore county court, Cæcil county court, Kent county court, Queen-Anne's county court, from the firſt, third and fourth Tueſdays in June next, until the third and fourth Tueſdays in Auguſt next. Lib. BLC. fol. 218.

CHAP. VI.

T empowering the three commiſſioners herein mentioned, together with the juſtices of Calvert y, to repair the court-houſe of that county, by an aſſeſſment on the inhabitants thereof. Lib. fol. 219.

CHAP. VII.

T empowering the juſtices of Prince-George's county to levy on the taxable inhabitants of n-Anne pariſh, in the ſaid county, the ſum of one hundred pounds current money of Mary- for the uſes therein mentioned. Lib. BLC. fol. 219.

CHAP. VIII.

T for the cutting off the entail, and inveſting an eſtate of inheritance in fee-ſimple, in part tract of land called Cooper's Purchaſe, in Thomas Spalding and Catherine his wife, and to other lands, lying in St. Mary's county, in lieu thereof. Lib. BLC. fol. 220. A Private

CHAP. IX.

T inveſting Archibald Douglaſs, of Cæcil county, ſon and heir of William and Mary Doug- deceaſed, with an eſtate in fee-ſimple in the one moiety of a tract of land called The Level, utt's Level, lying in Baltimore county. Lib. BLC. fol. 221. A Private Act.

CHAP. X.

T to cut off and bar the entail of part of a certain tract of land called William's Range, in e-George's county, and to ſettle other lands in lieu thereof. Lib. BLC. fol. 222. A Pri- Act.

CHAP. XI.

T for the relief of Nicholas Hammond, Peter Topping, Edward Cowley, Henry Temple- William Bafoot, Anne Rind, widow, and Mary Penn, languiſhing priſoners in Anne-Arun- ounty gaol, Joſeph Macleſter, a languiſhing priſoner in Somerſet county gaol, and Patrick ey, a languiſhing priſoner in Cæcil county gaol. Lib. BLC. fol. 224. A Private Act.

CHAP. XII.

T for the relief of Charles Sewall, of St. Mary's county, Eſquire, and other purpoſes there- ntioned. Lib. BLC. fol. 227.

CHAP. XIII.

T for the aſſeſſment and payment of the public charges of this province. Lib. BLC. fol. Diſſent.

At a SESSION of ASSEMBLY begun and held at the City of ANNAPOLIS, the 21ſt day of September, in the 28th year of the dominion of the right honourable CHARLES, abſolute Lord and Proprietary of the provinces of Maryland and Avalon, Lord Baron of Baltimore, &c. and ended the 29th day of October, *anno domini* 1742, the following laws were enacted.

THOMAS BLADEN, ESQUIRE, GOVERNOR.

CHAP. I.

Paſſed 30th of Sept. 1742.

An ACT to enforce the collection and payment of the public charge of this province, [relating] to an act of aſſembly, entitled, * An act for the aſſeſſment of the public charge of this province made at a ſeſſion of aſſembly begun and held at the city of Annapolis the 26th day of May, *domini* 1741. Lib. BLC. fol. 230.

* 1741, ch. 13.

CHAP. II.

Paſſed 29th of October, 1742.

An ACT reviving an act of aſſembly of this province, entitled, (a) An act for the ſpeedy recovery of ſmall debts out of court, before a ſingle juſtice of the peace. Lib. BLC. fol. 231.

(a) 1732, ch. 27, hereby continued three years, &c.

CHAP. III.

An ACT for reviving an act of aſſembly, entitled, (b) An act for relieving the inhabitants of this province from ſome aggrievances in the proſecution of ſuits at law, and for reviving and continuing the (c) ſupplementary act thereto. Lib. BLC. fol. 232.

(b) 1714, ch. 4. (c) 1728, ch. 24; both which are hereby continued for three years, &c.

CHAP. IV.

An ACT for the advancement of juſtice. Lib. BLC. fol. 233.

To continue in force three years, &c. Farther continued by 1746, ch. 2, and 1750, ch. 4. Expired.

CHAP. V.

An ACT to prevent the exportation of Indian corn for the (d) time therein limitted. Lib. BLC. fol. 236.

(d) Viz. Till the 1ſt July, 1743. Expired.

CHAP. VI.

An ACT to revive an act of aſſembly of this province, entitled, (e) An act for the better relief of poor debtors. Lib. BLC. fol. 238.

(e) 1722, ch. 13, hereby continued three years, &c.

CHAP. VII.

An ACT to prevent the ill practices of ſheriffs in the collecting and payment of the public and county levies. Lib. BLC. fol. 239.

Farther continued by 1746, ch. 5, 1750, ch. 2, and by 1753, ch. 5, it was continued in force during the paper money act of 1733, ch. 6, which expired the 29th September, 1764. It was virtually continued by the inſpection law of 1763, ch. 28, which, after ſeveral continuances, expired 22d October, 1771.

CHAP. VIII.

An ACT for the trial of all matters of fact in the ſeveral counties where they have ariſen, or ſhall ariſe. Lib. BLC. fol. 242. Diſſent.

CHAP. IX.

An ACT enabling the juſtices of Cæcil county to levy on the taxable inhabitants of St. Mary-[Ann's] pariſh, in the county aforeſaid, the ſum of eight hundred pounds. Lib. BLC. fol. 247.

CH

CHAP. X.

Passed 29th of October, 1742. * 1716, ch. 1.

pplementary act to the act, entitled, * An act for the repairing damages already ſuſtained in the records of the land, ſecre-'s, commiſſary's and county court offices, and for ſecurity of ſame records for the future. Lib. BLC. fol. 248.

Preamble.

EREAS the inhabitants of this province have been at great expence and charge in repair-ng, amending and completing, the records of the land, ſecretary's, chancery, commiſſary's nty court offices, and that on the well and ſafe keeping of which records, and ſuch as here-ll be entered and made, greatly depend the fortunes, intereſt and eſtates of the people of vince: And whereas it is not only neceſſary and requiſite that the books for entering and re-in ſhould be good and well bound, but that likewiſe true and legal entries and records be en-d made by the ſeveral and reſpective officers and clerks holding the ſaid offices, their ſervants, under-writers: And whereas ſo great a part of the eſtates and intereſt of the good people of d depend on the faithful and due execution of the truſt committed, and to be committed, to ective officers and clerks in the ſaid ſeveral and reſpective offices, and that it does not appear general aſſembly, that the penalty in the bonds to be given by the ſeveral and reſpective offi-clerks, by direction of the ſaid act for repairing the damages already ſuſtained in the re-the land, ſecretary's, commiſſary's and county court offices, and for ſecurity of the ſame for the future, is equal to the truſt repoſed in them, or the great ſhare and intereſt which ple of right have in the ſame records, nor that the ſaid bond is for the due execution of the f the ſaid reſpective officers and clerks, in relation to the making true, lawful and faithful and records, according to the intention of the ſame act, as appears, and on which depends the uſefulneſs of the ſame records;

Officers to enter into bond, &c.

E IT THEREFORE ENACTED, *by the right honourable the Lord Proprietary, by and with the advice nt of his lordſhip's Governor, and the Upper and Lower Houſes of Aſſembly, and the authority of the* hat from and after the laſt day of March, which ſhall be in the year of our Lord one thouſand undred and forty-three, it ſhall not be lawful for the ſecretary, regiſter in chancery, com-regiſter of the land-office, or other perſon who ſhall be appointed to receive the fees of the nd-office, or the ſeveral and reſpective county clerks, within this province, their deputies, or under clerks, who ſhall have the keeping of the ſaid ſecretary's, chancery, commiſſary's, county court offices, committed to them, to take upon themſelves the keeping any of the ords, or to receive or apply to their uſe any of the fees, profits or benefits, ariſing or to ariſe eir ſaid ſeveral and reſpective offices, until ſuch ſecretary, regiſter in chancery, commiſſary-regiſter in the land-office, or the perſon or perſons to whom the care and keeping of the d-office is or ſhall be committed, by what denomination ſoever he or they may or ſhall be nd the ſaid ſeveral and reſpective county clerks within this province, or ſuch county clerks hereafter be appointed, whether for any counties now being, or which ſhall hereafter be laid ointed or nominated, have entered into bond, with two good, able and ſufficient ſureties, rſons of viſible and landed eſtates within this province, in the name of the lord proprietary; to ſay, the ſecretary for the provincial office in the ſum of three thouſand pounds current the ſame ſecretary, regiſter in chancery, or whoever receives the profit and benefit of the ruing in the chancery-office, in the ſum of one thouſand pounds current money; the com-general, for the commiſſary's-office, in the ſum of three thouſand pounds current money; the of the land-office, or by whatever other denomination the perſon or perſons is, are or ſhall d, to whom the ſaid office and perquiſites is, are or ſhall be committed, in the ſum of three d pounds current money; and the ſeveral and reſpective county clerks within this province, ng, or who ſhall hereafter be nominated or appointed, reſpectively, whether of counties now or appointed, or of counties which hereafter ſhall be laid out and appointed, in the ſum of uſand pounds current money; all which bonds reſpectively ſhall be conditioned as follows: ondition of the above obligation is ſuch, that if the above bounden —— ——, whilſt he ſhall ue in the office of ——, ſhall, at his own proper coſt and charge, find a ſupply of good and nt record books, neceſſary for the entering up of all matters and things relating to ſuch —— and ſhall and will make, or cauſe to be made and entered, true, legal and perfect records ntries, according to the truth and nature of the matter or thing requiring to be entered or ed, and ſhall duly and carefully look after, ſuſtain, preſerve, repair and maintain, all the l books, papers and records, now being and remaining in the ſaid office, as alſo all thoſe om time to time, during his continuance in the ſaid office, ſhall be added thereunto, in ſuch r, as that in caſe of death, or that he ſhall be legally diſmiſſed from officiating longer in the

CHAP. X.

"ſaid office, he the ſaid —— ——, his executors or adminiſtrators, ſhall ſurrender and deliver
"or cauſe to be ſurrendered and delivered up, to the next perſon who ſhall ſucceed him in the
"—— office, all the papers and record books now being in the ſaid —— office, in good order
"repair, as alſo all ſuch other papers and record books which ſhall be by him added, in like
"order and repair, with the records and entries faithfully, legally and truly made up and
"during the time he hath officiated in the ſaid —— office, without favour or affection, but accor
"to the truth, the nature of the thing, and the duty of his office, and all other the duties
"ſaid office legally, duly, and faithfully ſhall diſcharge, according to law, and the true intent
"meaning of the acts of aſſembly in ſuch caſes made and provided, that then the above obli
"to be void and of none effect, or elſe to be and remain in full force and virtue in law."

Which ſhall be paſſed, &c.

III. AND BE IT FURTHER ENACTED, *by the authority aforeſaid*, That the ſaid bonds ſhall be p proved, recorded and ſued in the ſame manner and form as directed by the afore-mentioned re act for repairing the damages already ſuſtained in the records of the land, ſecretary's, commiſ and county court offices, and for ſecurity of the ſame records for the future, and likewiſe that c of ſuch bonds, atteſted under the hand and ſeal of the office of either the clerk of the provinc county courts, ſhall be good evidence in law to maintain any action of debt to be brought in breach or breaches of the condition aforeſaid, according to the direction of the ſaid act, and likewiſe the ſureties be ſubject to the proviſo in the ſaid act.

Courts may require new ſecurity, &c.

IV. BE IT FURTHER ENACTED, *by the authority aforeſaid*, That as often as the ſeveral and re tive juſtices of the ſeveral and reſpective county courts within this province ſhall ſee cauſe, the oblige the ſeveral and reſpective clerks of the counties aforeſaid to renew ſuch bonds with other ties, where they diſapprove the ability or ſufficiency of ſuch ſureties, from time to time, as the of the caſe may require, and the ſaid clerks reſpectively are hereby obliged in ſuch caſe to renew ſecurity, to the approbation of the reſpective juſtices aforeſaid.

Proviſo.

V. PROVIDED ALSO, That where the public or county ſhall ſue the aforeſaid bond, that ſhall be burthened with coſts.

Provincial court may require new ſecurity, &c.

VI. AND BE IT FURTHER ENACTED, *by the authority, advice and conſent aforeſaid*, That as o the provincial juſtices for the time being ſhall ſee cauſe, they ſhall and may oblige the ſecretary miſſary-general, regiſter in chancery, regiſter in the land-office, or whoever ſhall receive the fe perquiſites of the ſaid offices reſpectively, to renew ſuch bond or bonds with other ſurety or ſu where they diſapprove the ability or ſufficiency of ſuch ſecurities, from time to time, as the of the caſe ſhall require, and the ſaid ſecretary, commiſſary-general, regiſter in chancery, reg the land-office, or whoſoever ſhall have and receive the fees and perquiſites of the ſame offic and ſhall be hereby obliged to renew ſuch ſecurity when required as aforeſaid.

Proviſo.

VII. PROVIDED ALWAYS, AND BE IT LIKEWISE ENACTED AND DECLARED, *by and with the a advice and conſent aforeſaid*, That when or as often as any of the bond or bonds to be given by of this act ſhall be ſued, and judgment on them or any of them rendered, that the penalties bond or bonds, or any part thereof, ſhall not be applied to any other uſe than the making g damage which may be ſuffered by the public, counties, or private perſon or perſons, according true intent and meaning of this and the former act in that caſe made and provided.

CHAP. XI.

Paſſed 29th of October, 1742.

An ACT for laying out the town anew, commonly called Snow-Hill-town, in Somerſet co Lib. BLC. fol. 251.

N. B. Snow-Hill was firſt erected into a town by the act of 1686, ch. 2, and again confirmed by 1706, ch. 14. By th act, 1. Certain commiſſioners appointed, and empowered to ſurvey and lay out the ſame 100 acres formerly laid out, as as conveniently may be to the original ſurvey thereof when firſt laid out into a town, having regard to the lots already and built upon, &c. 2. The land ſo ſurveyed, &c. to be erected into a town, and called Snow-Hill-town. 3. The own of the lots formerly taken up, but not built upon, are required to build (within two years after the ſurvey made as a upon ſuch lot or lots, one houſe to cover 400 ſquare feet of ground, with one brick chimney at leaſt, and on neglecting to aforeſaid, the right, title and property of ſuch owner to ſuch lot, at the expiration of the ſaid two years, ſhall ceas ſame lot or lots become the property of the proprietor of the town land, as if the ſame had never been ſold or conv owners of ſuch lots, if under age or beyond ſea, ſhall have liberty to improve and build on their lot as aforeſaid, a within two years after ſuch owner's arriving at full age, or returning into this province. 4. The commiſſioners to appo ficient clerk, who ſhall make a fair entry of all their proceedings in a book, to whom the ſurveyor ſhall deliver a fair p lots, &c. which plot, with the proceedings, ſhall be tranſmitted to the clerk of Somerſet county, to be lodged among records; and upon the death or reſignation of ſuch town clerk, the commiſſioners to nominate and appoint another, as need ſhall require. 5. The commiſſioners empowered to agree with the proprietor of the land, not already taken up, for or the ſame, and, in caſe of ſuch agreement, to ſet a price on each lot, not already taken up or purchaſed, for which up ſhall pay, but in caſe they cannot agree for the ſaid ground, they ſhall cauſe the ſame to be valued by a jury, and the

ſum as ſuch lot or lots ſhall, by the ſaid jury, be adjudged worth, to the proprietor aforeſaid, or a tender thereof by ſuch or perſons who ſhall be willing and deſirous to take up ſuch lot or lots, and refuſal by ſuch proprietor, and ſuch payment, der and refuſal, being duly proved by the oath of one or more lawful witneſſes, before two juſtices for the ſaid county, by rſons intending to take up the ſame, and an entry made thereof by the town clerk aforeſaid, and returned by him to be , with the other proceedings, in the county court office as aforeſaid, ſhall give the perſon, paying or tendering as aforeſaid, olute eſtate in fee-ſimple in ſuch lots, they complying with the other requiſites in this act mentioned. 6. All lots hereafter aken up, ſhall be built on as aforeſaid, within 18 months after taking up, which lots, ſo built on and paid for, &c. ſhall right, property and eſtate of ſuch perſons ſo taking up, improving and paying, their heirs and aſſigns for ever. 7. Any s may take up lots, and enter the ſame, within two years from the time of ſurvey, but in caſe all the lots be not taken up years, then the proprietor ſhall be no way diveſted of his right to ſuch lots as ſhall not then be taken up. 8. The proprie- the lots, not already taken up or held, ſhall have the preference of taking up any five lots, ſo that he make his election four days after the ſurvey made. 9. Poſſeſſors of lots to pay one penny ſterling *per annum* for each lot ſo taken up, paid built upon, to the right honourable the lord proprietary, and his heirs for ever. 10. A ſaving of rights to the crown, the roprietary, &c. and all others not mentioned herein.

CHAP. XII.

CT to continue ſuch cauſes now depending in the provincial court as by law ought to have determined October provincial court, one thouſand ſeven hundred and forty-two. Lib. BLC. 253. Paſſed 29th of October, 1742.

CHAP. XIII.

CT for laying out and erecting a town on the ſouth ſide of the eaſtern branch of Patowmack r, in Prince-George's county, near a place called Garriſon Landing. Lib. BLC. fol. 254.

B. By this act, 1. Commiſſioners empowered to purchaſe ſixty acres of land at the place aforeſaid, and cauſe the ſame to veyed and laid out into 60 convenient lots, to be erected into a town. 2. The commiſſioners to meet on the land, &c. and for the ſame with the owners thereof (if it can be done on reaſonable terms,) if not, or in caſe of non-age, &c. or other lity, then to cauſe the ſame to be valued by a jury, &c. and what ſum ſuch jury ſhall aſſeſs, is hereby declared to be the value rice to be paid to ſuch owner or owners. 3. This done, the commiſſioners to cauſe the 60 acres to be ſurveyed, divided and ut, as near as may be, into 60 equal lots, allowing ſufficient ſpace for ſtreets, lanes, &c. and the lots to be numbered from o, and the ſtreets, &c. to be diſtinguiſhed by names, and by poſts ſet up towards each of them. 4. The commiſſioners to ain the price to be paid for each of the lots, according to the value, conveniency, &c. thereof, ſo that the prices of the lots, added together, may amount to the value of the land agreed for, or aſſeſſed as aforeſaid. 5. The town to be called nſburg. 6. The owner of the land to have choice of any two lots, provided ſuch choice be made in ten days after ſurvey, which time, any perſons may take up lots, paying the owners of the land the value aſſeſſed thereon, and every perſon, ſo g the price of the lot by him or her taken up, or proving to the ſatisfaction of the commiſſioners, that he or ſhe had tender- e ſaid price to the owner aforeſaid, and that ſuch owner had refuſed to accept the ſame, and an entry of ſuch payment, or r and refuſal being made, as hereafter directed, ſuch perſon, by virtue of ſuch payment, or tender and refuſal, and entry thereof, and this act, ſhall be fully and abſolutely inveſted in an eſtate, in fee-ſimple, in ſuch lot, to him, his heirs and s, for ever, without any deed, conveyance, &c. from the owner. 7. No perſon to take up more than one lot during twelve hs after laying out. 8. Every perſon taking up lots ſhall, within eighteen months after taking up, and entry made thereof reſaid, build and finiſh thereon one good, ſubſtantial and tenantable houſe, with one brick or ſtone chimney thereto, that cover 400 ſquare feet of ground; and every taker up neglecting to build as aforeſaid (within the time limitted,) on any lot, loſe ſuch lot, and his eſtate therein ſhall thenceforth ceaſe and determine, and ſuch lots ſo neglected to be built upon, may ken up by any perſon whatſoever, which ſecond taker up, paying the price aſſeſſed thereon to the commiſſioners, and build- hereon as before directed, within the time limitted, after ſuch ſecond taking up, ſhall have the like eſtate in ſuch lot or lots e firſt takers up, &c. are declared to have, and ſo, *toties quoties*, until the ſaid lots ſhall be built on and improved as afore- 9. The money ſo paid for lots, not built on and improved by the firſt or other takers up, &c. ſhall be applied to ſuch pur- for the benefit of the town, as to the commiſſioners ſhall ſeem meet. 10. The ſurveyor ſhall deliver to the commiſſioners a nd exact plot and ſurvey of the town, whereby each lot, ſtreet, &c. may appear to be well diſtinguiſhed by their reſpective ers and names, together with a full and plain certificate, to be entered and repoſited as hereafter directed. 11. The com- ners to appoint a ſufficient clerk, and adminiſter an oath to him for the due performance of his office, who ſhall find a good, ound book, for entering their proceedings, and enter therein the certificate of the ſurvey aforeſaid, the prices of each lot, ame of the owner, and time of its being taken up and paid for, or of the tender and refuſal as aforeſaid, and all other tranſ- s, &c. of the ſaid commiſſioners in and about the town; which regiſtry, together with the plot or ſurvey of the ſaid town, carefully examined by the commiſſioners, after the ſame is completed, ſhall be lodged with and delivered to the county clerk, kept among the county records. 12. The commiſſioners to aſcertain the fees to be paid to their clerk for the ſeveral ſervices n done by the perſons taking up lots. 13. The poſſeſſors of lots to pay to the lord proprietary the yearly rent of one penny g for each lot. 14. A ſaving of rights to the crown, the lord proprietary, all bodies politic and corporate, and all others entioned in this act.

CHAP. XIV.

CT to empower and direct the clerk of Somerſet county to enter and record amongſt the ſaid nty records a deed of bargain and ſale from John Martin to James Martin, of a lot of land ein mentioned. Lib. BLC. fol. 257. A Private Act.

CHAP. XV.

CT to enable the juſtices of Baltimore county court to aſſeſs and levy on the taxable inhabi- s of St. Paul's pariſh, in the ſaid county, a quantity of money for the uſes and purpoſes there- mentioned, and alſo to divide the ſaid pariſh, and for erecting part thereof into a new one. BLC. fol. 258.

B. By this act, 1. Certain perſons were empowered to receive voluntary ſubſcriptions from the pariſhioners, for the pur- g two acres of land, and building thereon a chapel of eaſe, for the foreſt inhabitants; and in caſe ſuch voluntary contribu- ſhould not be ſufficient, then were the county juſtices empowered, (at the inſtance of the veſtry,) to aſſeſs on the taxable itants of the pariſh any ſum, not exceeding £.133 6 8 in any one aſſeſſment, nor for more than three aſſeſſments, to be paid

paid to the perſons before nominated for completing the ſaid chapel; the ſaid perſons to render an account to the weſtern ſhore monies by them received for the ſaid uſe, and how laid out, and any remaining balance in their hands to be paid to the [illegible] and by them be applied towards defraying pariſh charges. 2. From the death of the reverend Benedict Bourdillon, the preſent incumbent, the hundred of Soldier's Delight and Back River Upper Hundred to be ſeparated from the pariſh of St. Paul's, and erected into a new pariſh by the name of St. Thomas's Pariſh, from and after which contingence, the inhabitants of the ſaid St. Thomas pariſh to have and enjoy all benefits, privileges, powers and authorities, equal with the inhabitants of any other pariſh within this province, with power of electing veſtrymen, churchwardens, &c. 3. The perſons appointed as aforeſaid directed to build the ſaid chapel ſo as to anſwer the convenience of the intended pariſh of St. Thomas, and to make it ſufficiently large, &c. which chapel, from the death, &c. of the reverend Mr. Bourdillon, to be taken, deemed and uſed, as the parish church of St. Thomas aforeſaid, &c.

CHAP. XVI.

Paſſed 29th of October, 1742.

An ACT for relief of Honor Huggel, Suſannah Murray, Catherine Brett, John Lumley, [illegible] Jenkins and Anthony Hill, languiſhing priſoners in Anne-Arundel county gaol, Thomas [illegible] Robert Evans and Robert Braſhiers, languiſhing priſoners in Prince-George's county gaol, [illegible] Buſey, a languiſhing priſoner in Calvert county gaol, John Mitchel and Charles Gannon, languiſhing priſoners in Talbot county gaol, Samuel Peck and Edmond Milton, languiſhing priſoners in Queen-Anne's county gaol, Francis Tate, George Ruſſell and William Willoughby James, languiſhing priſoners in Somerſet county gaol, Robert Walmſley, a languiſhing priſoner in St. Mary's county gaol, Solomon Trenor and Garret Corbet, languiſhing priſoners in Cæcil county gaol, John Weſt and William Clements, Junior, languiſhing priſoners in Charles county gaol. Lib. BLC. fol. 261. A Private Act.

CHAP. XVII.

An ACT to enable Caleb Dorſey, of Anne-Arundel county, gentleman, to ſell and diſpoſe of [illegible] nine acres of land, part of the eſtate of Mary Woodward and Elizabeth Woodward, infants. Lib. BLC. fol. 265. A Private Act.

CHAP. XVIII.

An ACT for dividing Prince-George's pariſh, in Prince-George's county, and for erecting a part out of the ſame, called by the name of All-Saints Pariſh. Lib. BLC. fol. 266.

N. B. By this act, 1. From and after the 22d November next, all that part of Prince-George's pariſh, beginning at Sennecar Run mouth, and running by and with the ſaid run to the head thereof, from thence with a due eaſt line to the bay one of the draughts of Patuxent river, and ſo binding all round as the upper part of the ſaid county is bounded, ſhall be ſeparated, conſtituted and created, into a pariſh, to be called by the name of All-Saints Pariſh, and is hereby adjudged, deemed and taken, to be a ſeparate and diſtinct pariſh. 2. The freeholders empowered to elect veſtrymen and churchwardens, to build and found a church therein, and to have, hold and enjoy all privileges and advantages that are held and enjoyed by any other pariſh within this province.

CHAP. XIX.

An ACT to divide Somerſet county, and to erect a new county on the ſea-board ſide, by the name of Worceſter. Lib. BLC. fol. 267.

N. B. By this act, 1. After the 10th December next, the bounds of Somerſet county ſhall contain as followeth: Beginning at Watkins's Point, and from thence running up Pocomoke bay to the mouth of Pocomoke river, up and with the ſaid river to the mouth of Dividing creek, thence up the weſternmoſt ſide of the ſaid creek to the bridges called Denſtone's Bridges, and from thence weſt to the main road called Parahawkin Road, thence up and with the ſaid road to John Caldwell, ſenior's, and from thence up and with the ſaid road, over Cox's branch, to Broad creek bridge, and down the ſaid branch and creek into Nanticoke river, thence down the ſaid river with Dorcheſter county to the mouth thereof, and from thence, including all the iſlands formerly deemed to be in Somerſet county, to the beginning, called Watkins's Point; and that after the ſaid 10th December the remaining part of what is now reputed to be within the county of Somerſet, to the extent of this province, ſhall be and is hereby conſtituted into a county, and ſhall be nominated, called and known by the name of Worceſter county, and the inhabitants thereof ſhall have and enjoy equal privileges with the other counties of this province, in ſending delegates to the general aſſembly, having county courts, ſheriffs, juſtices, and other officers and miniſters, as uſual in other counties, &c. 2. Certain commiſſioners are appointed and empowered to purchaſe from the owners of ſuch land in the towns of Princeſs-Anne and Snow-Hill, not more than one nor leſs than half an acre, whereon to erect a court-houſe in each county, and, in caſe of refuſal, or diſability in the owner to ſell ſuch land, to have the ſame valued by a jury, and the payment of ſuch valuation to the owner, &c. or to the heir thereof, ſhall inveſt the juſtices, and their ſucceſſors, with an eſtate in fee-ſimple, for the uſe of ſuch county court houſe. 3. The juſtices empowered to contract for the building, and cauſe a court-houſe to be built in their reſpective counties on the ſaid lands, and to raiſe ſums, not exceeding £. 1000 in each county, to pay for the lands and buildings, by three equal yearly payments. 4. The juſtices of Somerſet county to ſell by vendue, to the higheſt bidder, the preſent court-houſe and lands belonging to the ſaid county, half the produce whereof to be paid to the juſtices of Worceſter county, and be by them applied to the county charge, the other half to be in like manner applied by the juſtices of Somerſet county to defray the public charge of that county. 5. Worceſter county court to be held on the firſt Tueſdays of the months of March, June, Auguſt and November yearly; and the aſſizes in the ſaid county to begin, and be held on the Thurſdays before the aſſizes in Somerſet county; and the aſſizes and county courts of Somerſet county, after the laſt day of November next, ſhall be held at Princeſs-Anne-town alone.

CHAP. XX.

An ACT encouraging the raiſing of copper ore, erecting of ſtamping mills and copper works, and making of copper within this province. Lib. BLC. fol. 269. A Private Act.

CHAP. XXI.

An ACT for raiſing a duty of three halfpence ſterling per hogſhead on all tobacco exported out of this province, for the uſe of the governor. Lib. BLC. fol. 270.

Till the laſt day of October, 1743. Expired.

CHAP.

CHAP. XXII.

T to enable the rector, vestrymen and churchwardens, for the time being, of St. Anne's pa- Passed 29th of October, 1742.
in Anne-Arundel county, to lease certain lots in the city of Annapolis, in manner and to the
therein mentioned. Lib. BLC. fol. 271. Repealed 1747, ch. 24.

CHAP. XXIII.

ACT for laying out and erecting a town at a place called Long oint, on the west side of North-East river, in Cæcil county. b. BLC. fol. 273.

Supplementary acts 1744, ch. 22, and 1750, ch. 12. See also 1753, ch. 28.

HEREAS the encouragement of trade and navigation is the surest means of promoting the happiness, and increasing the riches of every country, and that such trade is with the greatest d advantage carried on, when the same is drawn into and fixed in one or more convenient whereby it appears, that erecting towns, and granting proper immunities and privileges for couragement of people to inhabit therein, must greatly contribute to so desirable an end, and being as yet no such place settled at or near the head of Chesapeake bay, although from the extent of the country round, and the want of navigable water above it, the same seems alto- necessary; it is therefore humbly prayed that it may be enacted, Preamble.

AND BE IT ENACTED, *by the right honourable the Lord Proprietary, by and with the advice and con- his lordship's Governor, and the Upper and Lower Houses of Assembly, and the authority of the same,* colonel Thomas Colvill, captain Nicholas Hyland, Mr. Benjamin Pearce, Mr. William Alex- Mr. Henry Baker, Mr. Zebulon Hollingsworth and Mr. John Read, be and are hereby em- ed, authorised and appointed, commissioners to put this act in execution, according to the ons hereafter mentioned; that is to say, that the aforesaid commissioners, or the major part m, shall, at some convenient time by them to be appointed and agreed upon, before the twen- ay of May next ensuing the end of this present session of assembly, meet upon a parcel of land, nly known by the name of Long Point, lying in Cæcil county, on the west side of North-East and shall then, or at any other time or times to which they shall or may adjourn, with the e of the deputy-surveyor of the said county, survey and lay out for a town two hundred acres parcel of land aforesaid, which shall to them, or the major part of them, appear to be most fit nvenient for that purpose, into two hundred convenient lots, with proper streets, lanes and as also three hundred acres of land for a common to the said town, lying thereto contiguous, manner as to them, or the major part of them, shall seem proper, and the same lots shall stake ark and distinguish by the number 1, 2, 3, and so on, to the number two hundred. Commissioners appointed, &c.

AND BE IT FURTHER ENACTED, *by the authority aforesaid,* That the surveyor aforesaid shall wo exact plots, with certificates particularly expressing the lots, streets, lanes and alleys of id town, with their numbers, lengths, breadths and names, of every of them, one of which nd certificates, subscribed by the said surveyor and the aforesaid commissioners, or the major f them, shall be delivered to the governor for the time being, and the other, subscribed as id, to the clerk of the county aforesaid, to be by him safely kept, and the certificate thereof d amongst the records of the same county; which said plot and certificate lodged in the custo- the said clerk, all persons shall and may, by virtue of this act, have free liberty to inspect t any fee or reward. Two plots to be returned, &c.

AND BE IT FURTHER ENACTED, *by the authority aforesaid,* That the commissioners aforesaid, or ajor part of them, shall and are hereby empowered to treat and agree with the proprietor or etors, owner or owners, or persons interested in the land aforesaid, so as aforesaid to be laid to a town and common, or with the agents, factors, or other persons authorised by them, for ice or value thereof, in current money of Maryland, at any time before the twentieth day of foresaid, but if it shall so happen that the said commissioners cannot agree with the said pro- or proprietors, owners or other persons, upon reasonable terms, or that by reason of absence, ure, infancy, or other disability or impediment, such agreement cannot be made, that then, any such case, the said commissioners, or the major part of them, are hereby authorised and ered to issue their warrant, directed to the sheriff of the county aforesaid, who is hereby re- to execute the same, commanding him to summon twenty-four of the best and most substantial lders of the same county, in which case, no person who is by law capable of giving a vote for g elected as a delegate, shall be exempted, to be and appear before the said commissioners, or the Commissioners to agree for land, &c.

CHAP. XXIII.

the major part of them, on the land aforesaid, on a certain day in such warrant to be mentioned, which freeholders, being by them the said commissioners, or the major part of them, charged and sworn, shall, upon their oath, inquire, assess and return, what damages and recompence, in current money aforesaid, they shall think fit to be awarded for the aforesaid five hundred acres of land to the proprietor or proprietors, owner or owners thereof, or other persons interested therein, and whatever sum or sums of money the same jury shall so assess and award as aforesaid, shall be and is hereby declared to be the value and price of the same five hundred acres of land.

Price of lots to be ascertained.

V. AND BE IT FURTHER ENACTED, That the commissioners aforesaid, or the major part of them, shall apportion, assess and fix, the price of all and every of the lots aforesaid, according to the value thereof, having regard to the conveniency and situation of each respective lot, so always as the price of all the said lots, added together, may make up the sum so as aforesaid to be awarded by the jury aforesaid, or the sum by them agreed for as aforesaid, and no more; and that the prices so to be fixed, shall be the sums to be paid by the takers up of each of the said lots.

Town to be called Charles-town.

VI. AND BE IT FURTHER ENACTED, *by the authority aforesaid*, That two hundred acres of land as aforesaid to be surveyed and laid out into lots, immediately after the same shall be surveyed and laid out, shall be and is hereby made and erected into a town, and shall be called Charles-town; and that the other three hundred acres aforesaid, to be laid out for a common, shall and is hereby ordained and declared to be the common of the said town, and that all and every the inhabitants of the said town shall, at all times, have and enjoy the free use and benefit thereof in common.

Owner to have choice.

VII. AND BE IT FURTHER ENACTED, *by the authority aforesaid*, That the proprietor or owner of the land aforesaid to be erected into a town, shall either by him or herself, or by any other person for him or her behalf, have liberty to make choice of any two of the aforesaid lots, before any of the said lots shall be taken up by any other person or persons, provided such choice shall be made within ten days after the land aforesaid shall be surveyed and laid out, and not otherwise.

Lots to be taken up by ballot.

VIII. AND, to prevent any partiality or contest in the first taking up of the lots aforesaid, BE IT ENACTED, *by the authority aforesaid*, That the commissioners aforesaid, or the major part of them, as soon as conveniently may be after the choice aforesaid shall be made by the proprietor of the land as aforesaid, or after the expiration of the ten days aforesaid in case no such choice shall be made, and after the plots and certificates aforesaid shall be made and returned as aforesaid, cause advertisements to be set up at all public places, as well in Cæcil county aforesaid as in the neighbouring counties in Maryland, and other adjacent places, thereby giving notice, that at a certain day therein to be mentioned, not less than three weeks nor more than six weeks from the date of such advertisement, the lots of the said town are to be taken up by ballot or lot, by any person whatsoever; and that on the day so to be appointed, the said commissioners, or the major part of them, shall meet on the same land or town, and shall cause the numbers of so many of the lots aforesaid as there shall be persons then and there willing and desiring to take up lots, beginning with the lots on the river side, and proceeding for the whole breadth of the town backwards, to be written on distinct pieces of paper, which shall be rolled up, as near as may be, of equal size and bigness, and having put the same into a box or vessel, every person then present, other than the proprietor or owner aforesaid, shall be at liberty to draw out one of the said numbers, which number being entered with the clerk aforesaid, and the drawer paying to the proprietor or owner of the same or his or her factor or agent, the price so as aforesaid fixed and set upon the lot, the number which he or she hath so drawn, and complying with the other requisites hereafter mentioned, shall be hereby declared to be absolutely seized in an estate, in fee-simple, of and in such lot, against the proprietary of this province, and all other persons whatsoever; and if it shall happen that all the lots aforesaid be not taken up or drawn on that day, then the said commissioners, or the major part of them, shall and are hereby required to appoint another day, in the same manner as herein before directed, for drawing and taking up the residue of the said lots, and shall proceed therein as hereinbefore mentioned on the first day aforesaid; and that all persons who shall draw and take up any lots on such second day, and pay the prices, and comply with the other requisites aforesaid, shall have the like estates in such their lots so drawn and entered as aforesaid, as the drawers and takers up of lots on the first day are herein above declared to have; and if all the said lots shall not be drawn and taken up on the second day aforesaid, that then any person whatsoever, who had not drawn or taken up any other lot, shall and may be at liberty to take up and enter as aforesaid any of the said lots which shall so remain untaken up, and such persons last mentioned, paying the prices for their respective lots, and complying with the other requisites aforesaid, shall have estates in fee-simple therein as aforesaid.

IX. Pro

Proviſo.

PROVIDED ALWAYS, That no perſon whatſoever, the proprietor or owner of the ſaid land cepted, ſhall be allowed to take up, draw, hold, poſſeſs or enjoy, above one of the lots afore- any time within three years after the laying out of the town aforeſaid.

None to hold more than one lot, &c.

ND BE IT FURTHER ENACTED, *by the authority aforeſaid*, That all and every perſon and perſons ll take up any of the lots aforeſaid ſhall apply to the clerk of Cæcil county court for the time or entries to be made of their reſpective lots ſo taken up, which clerk is hereby obliged and d carefully to enter in a book, by him to be kept for that purpoſe, the names of perſons up the ſaid lots, the numbers of their reſpective lots, with the days of their being taken up, e receipts for money by them reſpectively paid for their ſaid lots, for which entries, and a hereof to be delivered to the parties, every ſuch perſon ſhall pay to the ſaid clerk the ſum of llings current money, and no more.

What improvements ſhall be made, &c.

AND BE IT FURTHER ENACTED, *by the authority aforeſaid*, That all and every the perſon and aforeſaid taking up the lots aforeſaid, their heirs, executors, adminiſtrators and aſſigns, ſhall ged to erect and build on ſuch their reſpective lots, within three years after the date of the hereof ſo as aforeſaid to be made, one good tenantable dwelling-houſe, which ſhall cover four d ſquare feet of ground at leaſt, excluſive of ſheds, with a brick or ſtone chimney to every ſuch and every perſon neglecting or omitting to build as aforeſaid on his or her lot, ſhall loſe and his or her right, title and eſtate therein; and every ſuch lots ſo neglected to be built on as id ſhall, from and after the expiration of the three years aforeſaid, be liable to be taken up by er perſon whatſoever.

This ſection was repealed by 1786, ch. 32, ſection 2.

Forfeited lots how to be taken up, &c.

AND BE IT FURTHER ENACTED, *by the authority aforeſaid*, That when and as often as any of aforeſaid ſhall be forfeited for not being built on as aforeſaid, either the firſt taker up thereof, other perſon who ſhall incline to take the ſame up anew, ſhall apply to the county clerk afore- nd cauſe an entry to be made by the ſaid clerk of his or her taking up ſuch lot, in manner as directed, and ſhall likewiſe pay to the ſaid clerk the price of ſuch lot as before ſet and fixed, applied as herein after directed, together with the ſaid clerk's fee as aforeſaid for ſuch entry py thereof, and that ſuch ſecond taker up, having ſo entered and paid for ſuch lots ſo taken cond time, and built thereon, according to the directions and within the time before men- and limitted, ſhall be ſeized of the like eſtate of and in ſuch lot as the firſt takers up of the s are hereby declared to be, upon their complying with the requiſites aforeſaid, and ſo, *toties* until all ſuch lots ſhall be built upon as aforeſaid.

Lots not drawn may be taken up, &c.

. AND BE IT FURTHER ENACTED, That if all the lots aforeſaid ſhall not be drawn and entered eſaid on the aforeſaid two days to be appointed for ballotting the ſame, then it ſhall and may ful for any perſons whatſoever (except thoſe who had already drawn and entered lots as afore- to take up and enter the ſame as before directed, and to pay the prices thereof to the clerk id, which, together with the building thereon as aforeſaid, ſhall entitle ſuch takers up to fee- eſtates therein as aforeſaid reſpectively.

Clerk to attend, &c.

. AND BE IT FURTHER ENACTED, That the county clerk aforeſaid ſhall attend the commiſ- aforeſaid in the execution of what is required by this act to be done, and ſhall make up and ir and juſt entries of all their proceedings, and of all the lots to be taken up and paid for as id; and that the ſaid clerk, for ſuch his attendance, ſhall be allowed fifteen hundred pounds of o in the county levy; and that the ſurveyor aforeſaid, for ſurveying and laying out the town mmon aforeſaid, making and returning plots and certificates thereof as aforeſaid, and all other s by him to be done in the premiſes, ſhall have and receive the ſum of two thouſand pounds cco, to be aſſeſſed and allowed in the county levy as aforeſaid.

And render account, &c.

AND BE IT FURTHER ENACTED, That the clerk aforeſaid ſhall, from time to time, render counts of, and pay to the commiſſioners aforeſaid, all the money which he ſhall receive for the of any of the lots aforeſaid, ſo as aforeſaid directed to be paid to him, deducting therefrom mmiſſion of two pounds ten ſhillings *per cent.* for all ſums by him ſo received and paid.

Quit-rents payable.

. AND BE IT FURTHER ENACTED, That all and every perſon and perſons taking up, holding eſſing any of the lots aforeſaid, ſhall pay yearly for every ſuch lot, to the right honourable the oprietary of this province, or his agent or receiver here for the time being, for the uſe of his , two-pence current money of England, in full conſideration for the yearly rent of the five d acres of land aforeſaid.

CHAP. XXIII. Squares for public buildings.

XVII. AND BE IT FURTHER ENACTED, *by the authority aforesaid*, That the commissioners afore... or the major part of them, in laying out the town aforesaid, shall, in the most proper and conv... place thereof, cause to be laid out and ascertain one or more square and convenient lots, or p... of ground, for building a court-house, market-house, and other public edifices on, as they, or ... major part of them shall think proper, which lot or lots is and are hereby declared, at all times ... after, to belong to the public for the uses aforesaid, and to no other use or purpose whatsoever.

By 1786, ch. 20, the seat of justice was removed to the Head of Elk.

XVIII. AND, whereas the present incumbent of the parish wherein the said town and com... to be laid out, has signified his willingness and consent to exempt all persons actually living an... siding within the bounds of the said town land from the payment of the forty per poll, and as ... privilege or exemption may greatly encourage persons of all professions, religions, persuasions, ... or occupations whatsoever, to build and settle in the said town, and much conduce to the better ... pling and seating the adjacent lands, now uncultivated in the said parish, to the equal benefit o... incumbents thereof, BE IT THEREFORE ENACTED, *by the authority aforesaid, by and with the advi... consent aforesaid*, That all and every person and persons whatsoever, actually residing or dwelli... the said town, their servants and slaves, likewise actually residing there, shall, during such ti... or their residence, be exempted and discharged from the forty per poll granted to the episcopal cl... of this province, and all other parochial taxes, charges and dues whatsoever.

Persons exempted, &c.

XIX. AND BE IT FURTHER ENACTED, That the inhabitants of the same town, after one ye... residence therein, shall and are hereby declared and adjudged to be residents of this province, ... shall have and enjoy all the rights, privileges, immunities and exemptions of residents, by virtu... any of the acts of assembly of this province, or otherwise, any law, statute or usage to the con... notwithstanding.

Residents freed from payment, &c.

XX. AND BE IT FURTHER ENACTED, That when and as often as any of the commissioners a... said shall die, remove from the county aforesaid, or refuse or neglect to join in the execution of ... act, then, and in any such case, the major part of the other commissioners aforesaid shall ch... others in the place of such who shall die, refuse, remove or neglect as aforesaid, and such per... persons so chosen shall have equal power to act as the other commissioners herein mentioned; ... that the power and authority of the said commissioners shall continue until all things by them d... ed by this act to be done shall be completed and finished; and that all monies herein before di... to be paid to them by the clerk aforesaid, shall be applied to the building or repairing of public ... ings, wharfs, or other public uses of the said town, as the said commissioners, or the major p... them, shall think fit.

How vacancies are to be filled.

This section was repealed by 1786, ch. 32, section 2.

CHAP. XXIV.

Passed 29th of October, 1742.

An ACT to enable his excellency Thomas Bladen, Esquire, or the governor for the time bei... purchase four acres of land within the fence of the city of Annapolis, for the use of the p... and to build thereon a dwelling-house, and other conveniencies, for the residence of the gov... of Maryland for the time being, and to repeal part of other acts therein mentioned. Lib. ... fol. 277.

CHAP. XXV.

An ACT for the assessment and payment of the public charge of this province. Lib. BLC. fol...

SESSION of ASSEMBLY, begun and held at the CITY of NNAPOLIS, the 1ſt day of May, in the 29th year of the domi- n of the right honourable CHARLES, abſolute Lord and Propriey of the Provinces of Maryland and Avalon, Lord Baron of Balnore, &c. and ended the 4th day of June following, in the 30th ar of his lordſhip's dominion, *annoque domini* 1744, the follow- laws were enacted.

THOMAS BLADEN, ESQUIRE, GOVERNOR.

CHAP. I.

T to encourage the deſtroying bears in Worceſter county. Lib. BLC. fol. 283. Paſſed 4th of June, 1744.

See the note under 1728, ch. 12.

CHAP. II.

T for making a chapel already erected in Prince-George's pariſh, in Prince-George's county, pel of eaſe. Lib. BLC. fol. 283.

CHAP. III.

T for dividing St. Stephen's, alias North-Saſſafras pariſh, in Cæcil county. Lib. BLC. 84.

his act, 1. From the end of this ſeſſion, all that part of St. Stephen's, alias North-Saſſafras pariſh, in Cæcil county, lying the following bounds, viz. Beginning at a certain place called Town Point, ſituated between Elk and Bohemia rivers, m thence to run up Bohemia river to Middle Neck Point, from thence up Auguſtine creek, alias Little Bohemia, to ell's Branch, including all Middle Neck, and the plantation of Charles Scott, and to the Croſs paths, and from the Croſs y a line drawn eaſt to the exterior bounds of the old pariſh, and from thence by ſuch metes and bounds as ſhall take in all rt of St. Stephen's pariſh which lies to the northward and weſtward of the before lines, ſo far as St. Stephen's pariſh exto Elk river, and then by Elk river to Town Point aforeſaid, ſhall be taken from St. Stephen's pariſh aforeſaid, and be into a new pariſh, and called by the name of Auguſtine pariſh, and ſhall from the time aforeſaid be deemed, &c. Auguſtine and not as a part or parcel of St. Stephen's pariſh aforeſaid, &c. 2. The inhabitants of Auguſtine pariſh to enjoy all , privileges, &c. in every reſpect equal with any inhabitants of any other pariſh in this province, with power to elect en, &c. 3. The chapel built on Bohemia manor to be reputed, deemed, &c. as the pariſh church of Auguſtine pariſh. reverend Mr. Hugh Jones to continue incumbent of both pariſhes during his life, &c.

CHAP. IV.

T for the ſpeedy and effectual publication of the laws of this province, and for the encourage- of Jonas Green, of the city of Annapolis, printer. Lib. BLC. fol. 285.

emain in force till the 25th December, 1745. Farther continued by 1745, ch. 1, 1747, ch. 7, and expired 25th Decem- 48.

CHAP. V.

ACT to prevent the cutting up tobacco plants, deſtroying of bacco and tobacco-houſes, and for aſcertaining the puniſhment criminals guilty of the ſaid offences. Lib. BLC. fol. 286.

HEREAS tobacco is the ſtaple of this province, and that thereon depends the livelihood of many of the inhabitants, as well as the moſt conſiderable branch of trade, and that it is as e that the property of the people ſhould be as well ſecured in the fields, or open houſes, as in velling-houſes; it is therefore prayed that it may be enacted, Preamble.

ND BE IT THEREFORE ENACTED, *by the right honourable the Lord Proprietary, by and with the advice ent of his lordſhip's Governor, and the Upper and Lower Houſes of Aſſembly, and the authority of the* hat any perſon or perſons who ſhall, after the end of this preſent ſeſſion of aſſembly, cut or or cauſe to be cut up or deſtroyed, any tobacco plants belonging to any other perſon or per- by threats, menaces, or other ſiniſter means, ſhall cauſe or excite any perſon or perſons to or deſtroy any tobacco or tobacco plants belonging to any other perſon or perſons, and ſhall of convict by due courſe of law, ſhall forfeit and pay unto the party grieved one hundred Penalty on perſons cutting up tobacco, &c.

CHAP. V.

pounds ſterling, and ſuffer ſix months impriſonment, without bail or mainpriſe, and ſhall alſo r in priſon, as in execution, until the ſaid ſum be ſatisfied, in caſe the offender be of ſufficient a to pay the ſame, and if the offender ſhall not be of ſufficient ability, then and in every ſuch ca offender ſhall remain and continue in priſon for the ſpace of one whole year, without bail or priſe; provided alſo, that the party grieved ſhall and may have and maintain his or her a treſpaſs, or other proper action at law, for recovery of damages againſt the offender, any thing in contained to the contrary notwithſtanding.

And for burning tobacco, &c.

III. AND BE IT FURTHER ENACTED, That any perſon or perſons who ſhall, after the end o ſeſſion of aſſembly, wilfully burn any tobacco belonging to any other perſon, whether hanging bulk, or packed, or any tobacco-houſe or houſes, having therein any tobacco hanging or in b packed, and be thereof convicted by due courſe of law, and every aider and abettor of ſuch of ſhall ſuffer death as a felon, without benefit of clergy.

Duration.

IV. This act to continue three years, and to the end of the next ſeſſion of aſſembly which happen after the end of the ſaid three years.

Farther continued 1747, ch. 11, for three years, &c. but by 1751, ch. 7, is made perpetual.

CHAP. VI.

Paſſed 4th of June, 1744.

An ACT continuing (a) An act to prevent the injuring of harbours within this province, repealing the act therein mentioned. Lib. BLC. fol. 287.

(a) 1735, ch. 16, hereby continued three years, &c.

CHAP. VII.

An ACT for reviving and continuing an act of aſſembly of this province, entitled, (b) An aſcertaining the gauge and tare of tobacco hogſheads, and to prevent cutting, cropping facing tobacco taken on board ſhips or veſſels upon freight. Lib. BLC. fol. 287.

(b) 1736, ch. 9, hereby continued three years, &c.

CHAP. VIII.

An ACT to enable Richard Dorſey, of Anne-Arundel county, gentleman, to ſell and di forty-nine acres of land, part of the eſtate of Mary Woodward and Elizabeth Woodward, i Lib. BLC. fol. 288. A Private Act.

CHAP. IX.

An ACT continuing an act, entitled, (c) A ſupplementary act to an act, entitled, An act an impoſition on negroes, and ſeveral ſorts of liquors imported, and alſo on Iriſh ſervants, vent the importing too great a number of Iriſh papiſts into this province. Lib. BLC. fol.

(c) 1735, ch. 6, hereby continued three years, &c.

CHAP. X.

An ACT for the naturalization of James Richard, of Baltimore county. Lib. BLC. fol. Private Act.

CHAP. XI.

An ACT empowering the juſtices of Prince-George's county to levy on the taxable inhabi Queen-Anne pariſh, in the ſaid county, the ſum of two hundred pounds current money, uſes therein mentioned. Lib. BLC. fol. 290.

CHAP. XII.

An ACT empowering the juſtices of Prince-George's county to levy on the taxable inhabi King-George pariſh, in the ſaid county, the ſum of two hundred and fifty pounds current for the uſes therein mentioned. Lib. BLC. fol. 291.

CHAP. XIII.

42, ch. 13. A Supplementary act to an act, entitled, * An act for laying out and erecting a town on t ſide of the eaſtern branch of Patowmack river, in Prince-George's county, near a place ca Garriſon Landing. Lib. BLC. fol. 291.

N. B. By this act, 1. On petition of ſundry inhabitants of Prince-George's county, two years from the end of th granted to any perſons, their heirs or aſſigns, who took up any lots in Bladenſburgh, more than was given by the orig complete their buildings. 2. The takers up of lots, their heirs or aſſigns, on building one good and ſubſtantial ware ſhall cover 400 ſquare feet of ground, ſhall be inveſted with an eſtate in fee-ſimple in ſuch lot or lots, although the ſa ſtone or brick chimnies. 3. After the 10th November, 1746, no perſon inhabiting the town aforeſaid ſhall keep or m or fires in any other than brick or ſtone chimnies, under penalty of forty ſhillings currency for each offence, to be recov a ſingle magiſtrate as in the caſe of ſmall debts, to be paid to the majority of the commiſſioners for the ſaid town, one

of the ſaid town, the other to the informer; which ſaid magiſtrate is empowered to determine the ſame, and to commit nder to the ſheriff of the county, on refuſal or non-payment of the fine. 4. As often as any of the commiſſioners in the cited act mentioned ſhall die, or remove out of the county, or refuſe, neglect, or be otherwiſe incapacitated to act, &c. the remaining commiſſioners empowered and required forthwith to chooſe and appoint one other fit perſon to be a com- r in his place, and ſo, *toties quoties*, as ſuch vacancy ſhall happen; which commiſſioners ſo choſen, &c. ſhall have all the and authorities for putting the aforeſaid act in execution as any of the other commiſſioners in the ſaid act named.

C H A P. XIV.

T appointing commiſſioners for dividing St. Mary's county into four pariſhes, and to erect part of All-Faith and King and Queen pariſh, lying in Charles county, into a diſtinct pariſh. BLC. fol. 292. Paſſed 4th of June, 1744.

pplementary act of 1745, ch. 4, appoints other commiſſioners to carry this act into execution, the commiſſioners appointed act having neglected the ſame.

. By this act, 1. The juſtices of St. Mary's county, together with the ſheriff and ſurveyor, are appointed commiſſioners ute the ſeveral matters, &c. in this act directed. 2. The ſaid commiſſioners to meet at the court-houſe at Leonard-town, before 30th Auguſt, 1744, in order to divide the county into four diſtinct pariſhes, firſt giving public notice twenty days ſuch meeting, and then and there agree upon the time, manner, &c. of making the diviſion aforeſaid. 3. The commiſſi- mpowered to appoint a ſuitable clerk, and to pay their clerk, and other incident charges, by a county levy, and alſo to as to them ſhall ſeem needful. 4. The commiſſioners to lay out, or cauſe to be laid out, divided and ſeparated, the ſaid of St. Mary's into four different and diſtinct pariſhes, by ſuitable, natural and artificial lines, butments and boundaries, gard to the conveniency of the people, and ſo as the number of taxables in the ſaid county may be as equally divided into four pariſhes as the nature of the thing will permit. 5. The commiſſioners to cauſe the diviſion of the county into four by them made to be fairly and diſtinctly entered in a book, by natural and artificial bounds and courſes as aforeſaid, in ſtinct certificates, and return the ſame to the county clerk, by him to be entered among the county records, there to remain true and indiſputable bounds of the ſaid pariſhes reſpectively; the commiſſioners alſo to return duplicates of the ſaid certi- o the veſtry of each pariſh, &c. to be entered in their reſpective regiſters; and the diviſion ſo made and recorded in the court office, and reſpective regiſters of the ſaid four pariſhes, to be taken and deemed the true bounds and limits of the ur pariſhes in St. Mary's county. 6. The commiſſioners empowered either to alter or continue the names of the preſent s, and to give name to what pariſh they ſhall add, which names ſhall be entered in the ſaid reſpective certificates, and by e ſhall be called at all times hereafter. 7. All that part of All-Faith and King and Queen pariſhes, now being within county, ſhall hereafter be deemed and remain a diſtinct and ſeparate pariſh, by the name of Trinity pariſh, but ſo as not t the 40 per poll until after the deceaſe or removal of the preſent incumbent or incumbents of the ſame pariſhes of All- nd King and Queen, &c. 8. The freeholders of the ſaid four pariſhes in St. Mary's county reſpectively, and of the ſaid pariſh in Charles county, are empowered to make choice of veſtrymen, churchwardens, &c. and the ſaid reſpective lers and veſtries to have, hold and enjoy, all and ſingular the rights, liberties, privileges, &c. which any other pariſhes or within this province have, or hereafter may have. 9. Such diviſions or alterations of the pariſhes aforeſaid, or the erect- aforeſaid Trinity pariſh, in Charles county, not to take place or effect until the death or removal of the preſent incum- ſpectively, ſo as to alter the yearly income of any of the ſaid preſent incumbents in the pariſhes they now enjoy.

C H A P. XV.

T for building a priſon in Worceſter county. Lib. BLC. fol. 295.

C H A P. XVI.

T to enable Samuel Wilſon, executor of Margaret Lindow, to convey certain lands to David on. Lib. BLC. fol. 295. A Private Act.

C H A P. XVII.

T continuing an act of aſſembly of this province, entitled, (a) An act for the more effectual hment of certain offenders, and for taking from them the benefit of clergy. Lib. BLC. fol.

(a) 1737, ch. 2, hereby continued three years, &c.

C H A P. XVIII.

T continuing an act of aſſembly of this province, entitled, (b) A ſupplementary act to the ntitled, An act for the more effectual puniſhment of negroes and other ſlaves, and for taking the benefit of clergy from certain offenders, and to an act, entitled, An act to prevent the ltuous meeting and other irregularities of negroes and other ſlaves, and directing the manner ying ſlaves. Lib. BLC. fol. 297.

(b) 1737, ch. 7, hereby continued three years, &c.

C H A P. XIX.

T reviving an act of aſſembly, entitled, (c) An act for the benefit of the poor, and encou- ent of induſtry. Lib. BLC. fol. 297.

(c) 1740, ch. 11, hereby continued three years, &c.

C H A P. XX.

CT for puniſhment of horſe ſtealers, and other offenders. Lib. C. fol. 298.

T ENACTED, *by the right honourable the Lord Proprietary, by and with the advice and conſent of his dſhip's Governor, and the Upper and Lower Houſes of Aſſembly, and the authority of the ſame,* That all Puniſhment of horſe ſtealers, &c.

CHAP. XX.

all and every perſon and perſons who ſhall hereafter feloniouſly take or ſteal any horſe or [illegible] mare or mares, gelding or geldings, colt or colts, within this province, and all aiders, abettors, acceſſaries, either before or after the fact, of any ſuch takers or ſtealers, and all and every [illegible] and perſons who ſhall buy, take or receive any ſtolen horſe, mare, gelding or colt, knowing the [illegible] to be feloniouſly taken or ſtolen, and ſhall be thereof convicted, by confeſſion or verdict, or be [illegible] lawed, or will not upon arraignment anſwer directly according to law, or ſhall wilfully and of [illegible] ſtand mute, or ſhall peremptorily challenge above twenty, ſhall for every ſuch offence or offence aforeſaid ſuffer death as a felon, without benefit of clergy.

And of burners of ſhips, &c.

II. And be it further enacted, That any perſon or perſons who ſhall, after the publication this act, maliciouſly, wilfully and deſignedly, burn any ſhip or other veſſel, ſloop, ſhallop or boat [illegible] ſeventeen feet keel, or upwards, whether laden or empty, and the aiders or abettors of ſuch [illegible] er or offenders, being thereof convicted or attainted by due courſe of law, ſhall ſuffer death as [illegible] lon or felons without benefit of clergy.

Duration.

III. This act to continue for three years next enſuing, and to the end of the next ſeſſion of [illegible] bly that ſhall happen after the ſaid three years.

Farther continued by 1747, ch. 12, 1751, ch. 4, 1754, ch. 2, 1757, ch. 26, 1762, ch. 4, 1765, ch. 25, June, 1770, October, 1780, ch. 12, November, 1787, ch. 38, for 7 years, and by 1796, ch. 66, revived and continued till 20th October

CHAP. XXI.

Paſſed 24th of June, 1744.

An ACT to enable the rector, veſtrymen and churchwardens, of St. James's pariſh, in Anne-[illegible] del county, to leaſe lands belonging to St. James's church, in manner and to the uſes therein [illegible] tioned. Lib. BLC. fol. 298.

CHAP. XXII.

A Supplementary act to the act, entitled, * An act for laying out [illegible] erecting a town at a place called Long Point, on the weſt ſide [illegible] North-Eaſt river, in Cæcil county. Lib. BLC. fol. 299.

* 1742, ch. 23.

See a farther ſupplementary act 1750, ch. 12.

Preamble.

WHEREAS the inhabitants or takers up of the lots in Charles-town, in Cæcil county, [illegible] by their petition to this general aſſembly, repreſented, that they have voluntarily agreed [illegible] and paid into the hands of the commiſſioners appointed for laying out the ſaid town, the [illegible] twenty ſhillings upon every and reſpective lot by them taken up, over and above the price and [illegible] chaſe thereof, whereby there is paid into the hands of the ſaid commiſſioners the ſum of two hun[illegible] pounds current money, to be applied towards building a public wharf and ſtore-houſe in the ſaid [illegible] for the advancement of the trade thereof, and therefore pray that a law may paſs for laying out [illegible] ſaid money towards building a public wharf and ſtore-houſe on the public ground laid out and re[illegible] for that purpoſe, and to direct the management of the ſaid wharf and ſtore-houſe, and alſo to [illegible] them ſuch farther privileges for the advancement of the trade, and good regulation of the ſaid [illegible] as may ſeem moſt fit and agreeable to encourage the ſettlement thereof; for the encouragement [illegible] fore of the ſaid petitioners, and others well diſpoſed to forward the trade and advancement [illegible] ſaid town, repreſented to be moſt conveniently ſituated for the trade of all ſorts of grain, flour, [illegible] ſeed, and ſuch like commodities,

Commiſſioners appointed, &c.

II. Be it enacted, *by the right honourable the Lord Proprietary, by and with the advice and [illegible] his lordſhip's Governor, and the Upper and Lower Houſes of Aſſembly, and the authority of the ſame,* colonel Thomas Colvill, captain Nicholas Hyland, Mr. Benjamin Pearce, Mr. Henry Ball, [illegible] Zebulon Hollingſworth, Mr. John Read, and Mr. Benjamin Chew, be and are hereby appointed [illegible] commiſſioners for laying out the ſaid money ſo advanced and collected as aforeſaid, as alſo for re[illegible] ceiving, collecting and laying out, all ſuch ſum or ſums of money that ſhall be advanced or given [illegible] any perſon or perſons for the ſaid uſes; and that the ſaid commiſſioners, or the major part of them, [illegible] be and are hereby directed and empowered to lay out the ſaid public money already received, and [illegible] which ſhall be by them hereafter received, in the moſt careful and ſpeedy manner, by agreement [illegible] ſufficient and able workmen to build the ſaid public wharf, ſtore-houſe or ſtore-houſes, in ſuch [illegible] and manner on the ground aforeſaid, as to the ſaid commiſſioners, or the major part of them, [illegible] ſeem moſt commodious for the trade and advantage of the ſaid town.

Not to be concerned, &c.

III. And be it further enacted, That no commiſſioner ſhall directly or indirectly be [illegible] concerned in any bargain or contract to be made with any workman or workmen for building [illegible]

for the

nd ſtore-houſes, or any other public buildings, ſo as to receive any profit or advantage there- he penalty of fifty pounds current money, to be recovered by action of debt, bill, plaint, or ion, wherein no eſſoin, protection or wager of law, ſhall be allowed, and applied to the uch public building; and that the ſaid workmen ſhall declare upon oath (if required by the mmiſſioners,) the names of all ſuch perſons as are joined and concerned with them in the ſaid s or agreements.

AND BE IT ENACTED, *by the authority, advice and conſent aforeſaid*, That the commiſſioners , or the commiſſioners for the time being, ſhall keep a fair and particular account of the re- nd diſburſements of this and all other public money by them received for the uſes aforeſaid, annually lodge a copy thereof with the clerk of Cæcil county, ſigned by the commiſſioners, najor part of them, and which account the ſaid clerk ſhall copy, and inſert in the record t for the uſe of the ſaid town, without fee. Account to be kept, &c.

ND BE IT ALSO ENACTED, That when the ſaid wharf and ſtore-houſe and houſes ſhall be e ſaid commiſſioners, or the major part of them, ſhall appoint a perſon of good repute and the goodneſs and quality of flour, wheat and other grain, to be wharfinger and ſtore-houſe- o the ſaid wharf and ſtore-houſes; which ſaid officer ſhall give ſufficient ſecurity, in the the lord proprietary of this province, in the ſum of one hundred pounds current money, for and faithful diſcharge of his ſaid office, according to the true intent and meaning of this act expreſſed. A perſon to be appointed, &c.

ND, to ſecure the people living at a diſtance, as well as thoſe in or near the ſaid town, to ir grain and other commodities ſafely and ſecurely ſtored at reaſonable rates, and have utmoſt of punctual and honeſt dealing, BE IT ENACTED, *by the authority aforeſaid*, That the ſaid com- s ſhall provide for the ſaid officer, out of the public money, ſufficient ſealed exact meaſures, in this province, and that the ſaid officer ſhall give due attendance at the ſaid wharf and ſes, and ſhall receive therein all ſuch clean and merchantable grain and commodities as ſhall ht there to be ſtored, which he ſhall endeavour as much as he can to keep in ſeparate but whereas he may be often obliged to mix the grain belonging to ſeveral people, the ſaid all uſe his utmoſt ſkill in examining the grain ſo brought in at different times, and ſhall not nto the ſaid ſtore-houſe any wheat or other grain that ſhall not be ſufficiently clean, ſound hantable. To be furniſhed with meaſures, &c.

AND BE IT ALSO ENACTED, *by the authority aforeſaid*, That the ſaid ſtore-keeper ſhall give all odging any grain, or other country produce or commodities in the ſaid ſtore-houſe, authentic or the ſame, and that the ſaid receipts ſhall be transferrable, and being legally endorſed or ſhall oblige the ſaid ſtore-keeper to deliver to the endorſer or aſſignee, without delay, the commodities in the ſaid receipt mentioned, they paying ſtorage for the ſaid goods or com- s is hereafter rated and expreſſed, and no more. To give receipts, &c.

PROVIDED NEVERTHELESS, That for any wheat or other grain meaſured into the ſaid ſtore- d lying therein above three months, the ſaid ſtore-keeper ſhall be allowed one *per cent.* on ry thereof, for ſhrinkage or other waſte of the ſaid grain. Proviſo.

ND, for encouragement of perſons trading to the ſaid town, and for the credit of the re of wheat ſhipped therefrom, BE IT ALSO ENACTED, *by the authority, advice and conſent* That as ſoon as the ſaid officer or ſtore-keeper ſhall be appointed as aforeſaid, or at ſuch es as the ſaid commiſſioners ſhall ſee neceſſary to appoint a viewer or examiner of flour, and month's public notice of the ſame, that no flour ſhall be ſhipped off from the ſaid town but be carefully viewed and branded by the ſaid officer, (for which purpoſe a public brand-iron rovided by the commiſſioners,) who ſhall, at his entering on ſaid office, make oath before ncial or county magiſtrate, "that without favour, partiality or reſpect of perſons, he will eſt ſkill and knowledge that no flour be paſſed or branded by him without his viewing and the ſame, and that he will not brand, or cauſe to be branded, any caſk or caſks of flour not appear to the beſt of his ſkill and knowledge to be in all reſpects ſufficiently clean, merchantable, ſo as to be of equal goodneſs and fineneſs with the like commodities uſually from the neighbouring trading colonies," for viewing and branding whereof, he ſhall re- n the owner or owners thereof, the ſum of three-pence current money per barrel, and no A viewer to be appointed, &c.

CHAP XXII.

All flour to be viewed, &c.

X. AND BE IT FURTHER ENACTED, *by the authority aforeſaid*, That after ſuch viewer and ex- ſhall be appointed in manner aforeſaid, no flour whatſoever ſhall be ſhipped off for exporta- trade from any other place or landing on North-Eaſt river, but that all flour from thence inte- be ſhipped off, ſhall be brought either by land or by water to the ſaid town, and be there vie- branded by the officer aforeſaid, on penalty of forfeiture of the ſaid flour, or value there- recovered in any county court of this province, by bill, plaint or information, wherein n protection or wager of law ſhall be allowed, one moiety of which forfeiture to be paid to former, the other moiety to be paid to the commiſſioners, or the major part of them, for th being, to be applied towards the building, repairing or maintaining the ſaid public wharf an houſe, and to be accounted for as aboveſaid.

If unmerchantable to be marked, &c.

XI. AND BE IT FURTHER ENACTED, That any perſon or perſons bringing flour to the ſai to be viewed and examined as aforeſaid, which ſhall prove, on examination thereof, to be u chantable, according to the intent and meaning of this act, the ſaid officer ſhall not brand the but cauſe it to be marked on the head or bulge with the broad arrow, or ſecure it for a farthe mination, if required, which the owner ſhall not delay above twenty-four hours; neverthele ſaid officer ſhall demand and receive from the owner or owners thereof the ſame rate and pri he had put the brand thereon; provided, that when any perſon or perſons ſhall think him, themſelves aggrieved, through the judgment or want of ſkill of the ſaid officer, it ſhall and lawful for him, her or them, to apply to one or other of the ſaid commiſſioners, who ſhall, charge of the ſaid complainant, iſſue ſummons to two or more indifferent perſons well ſkilled ſaid manufacture, to review and examine the ſame, which if they ſhall paſs, and declare to chantable, then the ſaid officer ſhall raze out the broad arrow, and put the brand on the ſai and repay the ſaid coſt, but if on ſuch review, the judgment of the ſaid officer is confirmed, t ſaid owner or owners of ſuch flour ſhall, beſides the ſaid coſt, forfeit and pay one ſhilling money per barrel, to be recovered before a ſingle magiſtrate, and to be paid to the commiſſio be applied as aforeſaid.

And not to be exported, &c.

XII. AND BE IT FURTHER ENACTED, That it ſhall not be lawful for any perſon or perſons port the ſaid flour ſo marked with the broad arrow, nor any other caſk or caſks of flour not e and branded as aforeſaid, out of North-Eaſt river, on pain of forfeiture of five ſhillings money ſaid a barrel for every barrel ſo put on board of any ſhip or other veſſel for ſuch exportation recovered and applied as aboveſaid.

To be bought by the long hundred, &c.

XIII. AND BE IT FURTHER ENACTED, That all flour and bread that ſhall be ſhipped off f ſaid town ſhall be bought and ſold by the long hundred, or hundred weight of one hundred and pounds, and that the commiſſioners ſhall provide for ſaid officer ſufficient weights and ſcales purpoſe, where any perſon ſuſpecting the invoice of the weights of flour by them bought, or to the ſaid warehouſe, may have them juſtly and truly weighed, (if deſired,) for which weigh a true invoice or account thereof, the ſaid ſtore-keeper ſhall be paid one penny currency per and no more.

Flour, &c. to be tared, &c.

XIV. AND BE IT FURTHER ENACTED, That all flour, bread, and other caſk in which any country produce aforeſaid is contained, or intended to be ſold or ſhipped off, ſhall be packed ſeaſoned caſks, and be juſtly and truly tared on the bulge thereof, on the penalty of one ſhill rency; and every barrel or caſk that ſhall appear, on trial, to be tared above four pounds o above its juſt and true weight, ſhall forfeit the ſum of five ſhillings money aforeſaid, to be re from the owner or ſeller of the ſaid caſks in the manner aforeſaid, to the uſes aforeſaid.

Storage, &c. to be ſettled, &c.

XV. AND, whereas it is the intention of this law that the ſtorage and wharfage ſhould low, and reaſonably rated, ſo as to give encouragement and ſatisfaction to all concerned, only to raiſe a reaſonable and moderate ſalary or reward, to engage an able and ſufficient p take on him the faithful diſcharge and management of the ſaid truſt, and for the neceſſary re expences in and about the wharf and ſtore-houſe aforeſaid: And whereas it is at preſent di aſcertain what ſtorage and wharfage for goods would be for that purpoſe ſufficient, therefor be neceſſary that ſome perſons may be truſted at preſent with the ſettlement thereof, in the ſonable manner, to anſwer the intention aboveſaid; BE IT THEREFORE ENACTED, *by the aforeſaid*, That the commiſſioners herein appointed, be hereby authoriſed and empowered to ſe rate and reaſonable rates of ſtorage and wharfage for all goods, wares and merchandiſes, be ſtored in the ſaid ſtore-houſe or ſtore-houſes, or landed and ſhipped off from the ſaid w which rates they ſhall cauſe the ſaid ſtore-houſe-keeper to have and keep, to ſhew to all pe

he ſame, and to fix a copy thereof to remain on the door of the ſaid ſtore-houſe; and that commiſſioners, or the major part of them, ſhall have power to leſſen the ſaid rates at any them ſet, when by increaſe of trade, or otherwiſe, it ſhall appear to them neceſſary.

Wharf to be kept clear, &c.

AND BE IT ENACTED, *by the authority, advice and conſent aforeſaid*, That the ſaid wharf ſhall s clear as poſſible from being incommoded by the long lying of ſtaves or other lumber there- that no ſuch lumber ſhall be ſuffered to lie thereon longer than ſix days, without permiſſion id wharfinger, or two of the commiſſioners aforeſaid, but the perſons owning the ſame, after ven by the ſaid wharfinger, ſhall remove the ſame in three days after ſuch notice, on penalty illings money aforeſaid, to be recovered before a ſingle magiſtrate, to be applied to the uſes d.

Commiſſioners to have power, &c.

. AND BE IT FURTHER ENACTED, *by the authority aforeſaid*, That the ſaid commiſſioners, or or part of them for the time being, ſhall have power to apply and ſet apart any part of the quares or vacancies to the uſe of any religious ſociety or perſuaſion, for the building thereon e or houſes for public worſhip, and to ſuch other public uſes as to them, or the major part , ſhall appear to be for the intereſt, profit and conveniency of the inhabitants of the ſaid nd ſhall alſo have power to leaſe any part or parcels of the ſaid ſquares or vacancies laid out erved for public uſes, for any term not exceeding twenty-one years, or three lives, for an ent, and ſhall not otherwiſe alienate any of the ſaid ſquares or vacancies; all which rents its ſo ariſing, the commiſſioners ſhall from time to time account for in the manner herein be- reſſed, to be applied to the uſe of the public of Charles-town aforeſaid.

To lay out land in the common, &c.

I. AND, to the end that timber may be preſerved for the public uſe, ſuch as fencing in all or he common, the raiſing of the wharf, or other public occaſions, BE IT ALSO ENACTED, that miſſioners, or the major part of them, are hereby empowered, if they ſee cauſe, to mark or in the common of Charles-town aforeſaid the quantity of one hundred acres, which ſhall ap- them to be beſt timbered and convenient, and that no timber or other trees growing or ſtand- hin the bounds thereof, above the girt of eighteen inches, to be taken or meaſured at the f three foot from the ground, ſhall be cut down by any of the inhabitants of the ſaid town, rs, without leave of the ſaid commiſſioners, or the major part of them, on the penalty of ten money aforeſaid for every tree ſo cut down, to be recovered before a ſingle magiſtrate of nty, one half of which forfeiture to be paid to the informer, the other half to the commiſ- to be applied and accounted for as aboveſaid.

AND, whereas notwithſtanding the plenty of timber near the ſaid town, and the great con- es of forges, for the encouragement of building ſea veſſels and others, and thereby ſettling id town many uſeful tradeſmen and labourers, yet for want of ſufficient depth of water near e, within any part of the bounds of the ſaid town and common, the proceeding in that uſeful eſſary branch of trade is altogether impracticable: And whereas, in the opinion of ſkilful n, there is but one place near the boundaries of ſaid town, called Seneca Point, at preſent by a certain Edward Oldham, fit and capable for launching ſhips or other veſſels, if a pro- as to be had thereto, ſo as not to be left to the will of any perſon to fruſtrate ſo public a

And near Seneca Point, &c.

E IT THEREFORE ENACTED, That the commiſſioners for ſaid town are hereby empowered to any place, at or near ſaid Seneca Point, convenient for a ſhip-yard to the ſaid town and , and to agree for two acres of land with the owner or owners thereof, which if they can- pon reaſonable terms, then they ſhall cauſe a jury, in the uſual manner, to be ſummoned and lled by the ſheriff, to value the ſaid land; which value, ſo aſſeſſed, the ſaid commiſſioners der and pay the ſaid owner or owners out of the public money collected and belonging to the f ſaid town, and the ſaid two acres of land ſhall for ever be deemed to belong to the public in ſatisfaction whereof, all perſons building any ſhip or other veſſel on the ſaid ground, he length of twenty foot keel, ſhall pay to the commiſſioners for the public uſe of the ſaid ch ſum as ſhall be thought neceſſary, not to exceed ſix-pence current money per ton, for o build any ſuch ſhip or other veſſel thereon; and that the commiſſioners, or major part of ave alſo power to lay out a convenient cart road to the ſaid ſhip-yard, ſo as to do the leaſt they poſſibly can to the owner of ſaid land, and which road ſhall be always kept open and the uſe of the ſaid ſhip-yard.

Succeſſion provided for.

AND, to continue a ſucceſſion of the ſaid commiſſioners, for the good order and regulation of town and trade thereof, BE IT ENACTED, *by the authority, advice and conſent aforeſaid*, That d as often as any of the ſaid commiſſioners ſhall die, or depart this province, or ſhall refuſe or

CHAP. XXII.

neglect to act in the execution of this act, then and in any ſuch caſe it ſhall and may be lawful for the ſaid commiſſioners, or the major part of them, to meet at the ſaid town, on the tenth day of May next enſuing ſuch death or removal, and appoint ſuch other perſon as they ſhall think fit, a commiſſioner in the room of him ſo dead, removed, or neglecting to act as aforeſaid.

Proviſo.

XXI. PROVIDED, That at what time ſoever it ſhall be made appear to the ſaid commiſſioners the major part of them, for the time being, that there are the number of twenty fixed and ſettled habitants, capable by land or eſtate to vote for a burgeſs, according to the qualifications of the now in being, actually dwelling and reſiding in ſaid town, that then it ſhall be lawful for the commiſſioners, and they are hereby directed and required, on all ſuch occaſions that ſhall then happen, to meet at Charles-town aforeſaid, on the tenth day of May next after ſuch vacancy ſhall and then and there, by vote of the ſaid inhabitants of Charles-town, ſo qualified as above, chooſe or elect one other perſon or perſons to ſerve as a commiſſioner in the room of him or them dead, removed, or neglecting as aforeſaid, and which ſaid perſon or perſons, ſo choſen or elected majority of ſuch votes, ſhall be a commiſſioner, and be authoriſed to put this law in execution reſpects, and to all intents and purpoſes, as any other commiſſioner herein named is authoriſed

This and the next ſection are repealed by 1786, ch. 32, ſection 2.

Commiſſioners to meet, &c.

XXII. BE IT ALSO ENACTED, That the ſaid commiſſioners be and are hereby directed and powered to meet at the ſaid Charles-town on the tenth day of May yearly, and oftener as occaſion ſhall require, to view, regulate and perpetuate the boundaries of the ſeveral and reſpective lots town, according to the true intent and meaning of the return of the ſurvey plot, and certificate thereof, and from time to time, as they ſhall ſee cauſe, to inſpect and inquire into the proceedings and management of the ſaid wharf and ſtore-houſe, at ſaid Charles-town to be built and raiſed order to prevent and reſtrain all irregularities and impoſitions that may there happen.

Fairs to be held, &c.

XXIII. AND, whereas the preſent inhabitants of Charles-town aforeſaid have already, of their own accord, publiſhed a fair, which was held at the ſaid town on the tenth day of this preſent inſtant, May, whereat great numbers of people did meet: And whereas the adjacent country duceth many uſeful commodities, which, brought to ſuch fair or fairs to be ſold, might be of and advantage to the trade and people of this province, if the time and manner of keeping ſuch or fairs were under due regulations; BE IT THEREFORE ENACTED, *by the authority aforeſaid*, ſhall and may be lawful for the ſaid commiſſioners to appoint two fairs to be held at the ſaid to wit, to begin on the twenty-third day of April, and the eighteenth day of October, yearly being Sunday, otherwiſe to begin on the day following, and to continue the ſaid fairs not more three days each, Sundays excluſive; and that during ſuch continuance of the ſaid fair or fairs perſons within the bounds of ſaid town and common ſhall be privileged from all arreſts, except felony and breach of the peace, as alſo all perſons coming to and returning from the ſaid fair ſhall have the like privilege for one day before and after the ſame; and the ſaid commiſſioners have hereby power and authority to make and appoint ſuch good rules and orders, to be obſerved during the ſame, as may tend to prevent all diſorders and inconveniencies that may therein happen.

By 1786, ch. 32, different days were appointed for holding the fairs, but by 1790, ch. 15, the holding of fairs is throughout the ſtate.

Commiſſioners to employ a clerk, &c.

XXIV. AND BE IT ALSO ENACTED, That the commiſſioners aforeſaid may employ ſome if occaſion ſhould be, to regiſter their proceedings at their appointed or annual meetings, at town aforeſaid, and that they are hereby empowered to pay the ſaid regiſter, or perſon by them ployed for that purpoſe, out of the fines and forfeitures, or other public money, ſo as the thereof do not exceed five pounds in any one year.

A further allowance made, &c.

XXV. AND, whereas John Veazy, the preſent deputy-ſurveyor of Cæcil county, has not been at extraordinary trouble in ſurveying and laying out the ſaid Charles-town, but likewiſe been obliged to pay ſeveral ſums of money to chain-bearers, and other labourers, and his own neceſſary expences, to the value of more than the allowance made to him by the act for laying out the town; BE IT THEREFORE ENACTED, That the juſtices of Cæcil county aforeſaid ſhall and are by enabled and required, at the laying of the next levy, to tax and levy the ſum of two thouſand pounds of tobacco on the taxable inhabitants of the ſaid county, with the ſheriff's commiſſion on, which ſum of two thouſand pounds of tobacco, ſo levied, ſhall be paid by the ſheriff of county to the ſaid John Veazy, for his ſervices and expence aforeſaid.

XXVI. AND, whereas the ſmall number of lots directed to be laid out in Charles-town were not ſufficient to accommodate the great number of perſons appearing willing to enter,

CHAP. XXII

ſame, whereby great numbers (to prevent conteſts,) were obliged and willing to join two of mes to one lot, to be divided between them; to prevent therefore the trouble and charge of ng and recording deeds or other inſtruments, as may by reaſon thereof be occaſioned, BE IT ORE ENACTED, That all ſuch perſons, who on the day of ballotting for the lots in Charles- foreſaid, entered two of their names for one lot, reference being had to the clerk's entry on y made and taken, may at any time, within twelve months after the end of this ſeſſion of aſ- have liberty to enter with the ſaid clerk, ſuch equal diviſion, or diſtinct moiety of ſuch lot as ſhall be agreed on by the ſaid two parties, which agreement or diviſion, the ſaid clerk ter on the record book to be kept for ſaid town, and ſhall receive for each entry one ſhilling, h entry or record made by the ſaid clerk in the book aforeſaid, and both, or either of the par- erforming the requiſites required for ſaving lots by the law for Charles-town aforeſaid, ſhall ch lot, and transfer to each of the ſaid perſons a property to their reſpective and diſtinct , ſo agreed on and entered as aforeſaid, in as ample manner as in the former law is directed, ing and ſecuring title to perſons taking ſingle or whole lots.

How certain entries ſhall be made, &c.

VII. AND BE IT ALSO ENACTED, That the reverend Mr. William Wye, having at the ballot- reſaid made purchaſe of a lot in ſaid Charles-town, he is hereby exempted from forfeiting the , although not built thereon, any former law to the contrary notwithſtanding.

Lot exempted.

VIII. This act to continue for ſeven years from and after the end of this ſeſſion of aſſembly, and e end of the next ſeſſion of aſſembly which ſhall happen after the end of the ſaid ſeven years.

Duration.

t was farther continued by the additional ſupplementary act of 1750, ch. 12, which was made perpetual by 1753, ch. 28.

CHAP. XXIII.

CT to enable certain commiſſioners therein named to lay out forty acres of land into eighty for a town on Indian river, in Worceſter county, as alſo forty acres of land into eighty lots, he head of Aſſeteague creek, at a place commonly called The Trap, for a town. Lib. BLC. 303.

Paſſed 4th of June, 1744.

Supplementary acts 1745, ch. 3, and 1748, ch. 12.

B. By this act, 1. The commiſſioners are empowered to buy 40 acres of land, at each of the ſaid places, and cauſe the o be laid out into 80 lots in each of the aforeſaid towns. 2. The commiſſioners to meet on the lands aforeſaid before the y of November next, then and there to treat with the owners for the purchaſe thereof, and in caſe of refuſal or diſability owners to ſell, to cauſe the ſame to be valued by a jury, and whatever ſum the jury ſhall aſſeſs and award, ſhall be the o be paid to ſuch owners, &c. 3. The commiſſioners, after ſuch purchaſe or valuation, to cauſe the ſame 40 acres in each to be laid out into 80 lots, allowing ſpace for ſtreets, lanes, &c. and number the lots from one to eighty; and the ſtreets nes to be diſtinguiſhed by names, and by poſts ſet up. 4. The commiſſioners to aſſeſs and aſcertain the price of the ſeveral ccording to their value, conveniency, &c. ſo as that the prices of all the lots in each town may amount to the ſum agreed r awarded by the jury. 5. The lands ſo divided and laid out ſhall be erected into towns, and that ſituated on Indian river, hn Maſſey's and Thomas Eydolat's dwelling plantations, to be called Baltimore-town, and that at the head of Aſſeteague at the Trap, to be called Newport-town. 6. The owners of the land to have the firſt choice of any two lots in each ſo that ſuch choice be made within ten days after the ſurvey, after which time, any perſons to be at liberty to take up lots ch of the towns, paying the price ſet thereon; and every perſon paying the price of the lot by him or her taken up, or g, to the ſatisfaction of the commiſſioners, a tender thereof to the owner aforeſaid, and that the owner had refuſed to the ſame, and an entry of ſuch payment, or tender and refuſal, being made as hereafter directed, ſhall inveſt ſuch perſon n eſtate of inheritance, in fee-ſimple, of and in ſuch lot, to him or her, his or her heirs and aſſigns for ever, without any &c. from ſuch owner for the ſame. 7. None to take up above one lot within 12 calendar months after ſurvey. 8. Perſons up lots in either of the ſaid towns ſhall, within three years after ſuch taking up, build and finiſh thereon one good ſub- al and tenantable houſe, with one brick or ſtone chimney thereto, that ſhall cover not leſs than 400 ſquare feet of ground, ive of ſheds; and perſons neglecting to build as aforeſaid within the time limitted, ſhall loſe ſuch lot, and the eſtate of ſuch up ſhall thenceforth ceaſe and determine, and the lots ſo neglected to be built upon, may be taken up by any other perſon ſoever, which ſecond taker up, paying the commiſſioners the price thereof ſo as aforeſaid aſſeſſed, and entry thereof made oreſaid, and building thereon as before directed, within the time before limitted after ſuch ſecond taking up, ſhall have the eſtate therein as the firſt takers up, (who ſhall comply with all the requiſites before mentioned,) are declared to have, and ſo, *quoties*, until the ſame lots be built upon and improved as aforeſaid; and the money paid by ſuch ſecond takers up ſhall be d by the commiſſioners to the uſe and benefit of the town. 9. The ſurveyor to make out fair and exact plots of the towns, eby each lot, ſtreet, lane and alley therein, may appear well diſtinguiſhed by their reſpective numbers and names, and the plots, with full and plain certificates thereof, ſhall deliver to the commiſſioners, to be repoſited as hereafter directed. he commiſſioners to employ a ſufficient clerk, and adminiſter an oath to him for the due performance of his office, which ſhall find a well bound book for entering the proceedings of the ſaid commiſſioners in the premiſes, and faithfully regiſter in the certificates of the ſurveys, and all other the tranſactions of the commiſſioners in and about the towns aforeſaid; the regiſtry, with the plots and certificates, being carefully examined by the commiſſioners, ſhall, when completed, be lodged the county clerk, to be by him kept among the county records. 11. Poſſeſſors of lots to pay one penny ſterling yearly rent ach lot to the right honourable the lord proprietary, his heirs or aſſigns.

CHAP. XXIV.

CT for dividing All-Hallows pariſh, in Worceſter county, and for erecting a pariſh out of the e, called by the name of Worceſter pariſh. Lib. BLC. fol. 306.

this act, 1. From the death, &c. of the reverend Mr. Glaſgow, (the preſent incumbent,) all that part of All-Hallows pa- beginning at the mouth of Newport creek, running out of the ſea, and running by and with the ſaid creek and a branch

thereof to the main road, to a place called Buckingham, and from thence down the main road which leads to Snow-Hill a quarter of a mile, until it comes to another main road ſtriking out of the aforeſaid road, which goes between the plan of Mrs. Mary Hampton and Mr. Brickus Townſend, and bounded therewith, as now laid out by order of court, until it Pocomoke river; all to the northward and eaſtward of the bounds aforeſaid which was contained in the pariſh of All- is, by this act, thenceforth ſeparated, conſtituted and erected into a pariſh, to be called Worceſter pariſh, and no longer a All-Hallows pariſh aforeſaid. 2. The inhabitants of the ſaid Worceſter pariſh to have and enjoy all benefits, privileges, and authorities, equal with any inhabitants of any other pariſh in the province, with power to elect veſtries, churchwardens

CHAP. XXV.

Paſſed 4th of June, 1744.

An ACT for laying out the town anew, commonly called Upper-Marlborough-town, in P George's county. Lib. BLC. fol. 306.

N. B. By this act, 1. Commiſſioners are empowered to ſurvey and lay out the ſame 100 acres which were formerly laid a town by 1706, ch. 14, (the bounds of the town and lots being very obſcure,) as agreeably as conveniently may be to the ſurvey, without incommoding the preſent ſettlements, and excluſive of the piece of meadow ground lately drained by Mr. Carroll, one of the proprietors of the ſaid town. 2. The commiſſioners to meet at the town, &c. and with the aſſiſtan ſkilful ſurveyor, carefully to reſurvey the aforeſaid 100 acres into as many convenient lots as were heretofore laid out, and numbered, from 1 to 100, with the ſame ſtreets, alleys and lanes, as formerly laid out, provided they do not incommod preſent ſettlements, and to ſet up poſts, &c. to diſtinguiſh the ſame ſurvey for ever. 3. The land ſo ſurveyed, &c. is erected a town, to be called Upper-Marlborough-town. 4. The owners of the lots already taken up and not built upon, or that hereafter take up any of the ſaid lots, ſhall build on ſuch lot or lots, (within three years after ſuch ſurvey made and re according to directions of this act,) one houſe to cover 400 ſquare feet of ground, with one good brick or ſtone chimney a and ſuch owners not building as aforeſaid, ſhall, at the expiration of the ſaid three years, loſe their right, title and therein, and ſuch lots ſhall become the property of the former proprietors. 5. Owners of dwelling-houſes already built of the ſaid lots, and which have only wooden chimnies, ſhall build brick or ſtone chimnies to ſuch houſes within 12 months the ſurvey aforeſaid, on forfeiture of five ſhillings current money for every month that any perſon ſhall dwell, or uſe fires and ſo *pro rato* for a longer or ſhorter time, to be recovered before a ſingle magiſtrate, and applied by the commiſſioners public uſe of the town. 6. Owners of lots being under age, beyond ſeas, &c. ſhall have liberty to improve and build on lots, according to the directions of this act, at any time within one year after arriving at age, &c. 7. The commiſſioners appoint a ſkilful clerk to make a fair entry of all their proceedings in a ſufficient book, to whom the ſurveyor ſhall deliver plot of the ſaid lots, &c. which clerk, and his ſucceſſors, ſhall tranſmit the ſaid proceedings and plot to the clerk of George's county, to be lodged and taken charge of, among the county records. 8. The commiſſioners empowered to agree the proprietors of the land not already taken up, for the price of the ſame, in which caſe, the price ſet by them on each lot be paid by the taker up, but in caſe of their diſagreement, then to cauſe the ſame to be valued by a jury, and the payment ſum aſſeſſed on any lot by ſuch jury, to the owners, or a tender thereof by perſons willing to take up the ſame, and refuſal of by the proprietors, and ſuch tender and refuſal duly proved before two magiſtrates of the county, and an entry made town clerk, and returned by him to be lodged with the other proceedings in the county court office, ſhall give ſuch perſon or tendering as aforeſaid an abſolute eſtate in fee-ſimple in ſuch lot or lots, they complying with the other requiſites in mentioned. 9. All lots hereafter to be taken up ſhall be built upon, &c. as aforeſaid, within three years after taking up lots ſo built upon and paid for, or tender, &c. as above provided, ſhall be the right, property and eſtate of ſuch perſons up, improving and paying, &c. their heirs and aſſigns for ever. 10. All perſons to have liberty of taking up lots and the ſame for two years from the time of making the ſurvey, and all lots not taken up within that time, to revert to the proprietors. 11. Each lot ſo taken up, paid for and built on, ſhall be liable to the payment of one penny ſterling to the lord proprietary for ever; and the county clerk ſhall tranſmit an annual account of all ſuch lots, &c. to his lordſhip 12. The lot heretofore bought and ſet apart for a meeting-houſe ſhall not be liable to be taken up, but remain for the uſe diſſenting miniſter officiating therein for the time being, and congregation, in the ſame manner and to the ſame purpoſe at firſt taken up and built on. 13. The lot formerly bought, &c. for a ſchool, ſhall not be taken up, but the ſaid lot and houſe, and other houſes, &c. thereunto belonging, is hereby declared to be veſted in the reverend Mr. John Eversfield, Joſeph Belt, Mr. John Magruder, Mr. Richard Keene and Mr. David Crawford, for the uſe of the ſaid ſchool; and the John Eversfield, &c. and their ſucceſſors, are hereby appointed viſitors of the ſame ſchool, and ſhall at all times hereafter hold and enjoy, all and ſingular the powers and authorities which the viſitors of the ſeveral free-ſchools within this pro lawfully have, hold and enjoy; and when any of the viſitors aforeſaid ſhall remove out of the county, or otherwiſe become ble, or refuſe to execute the office of viſitor as aforeſaid, then the other viſitors aforeſaid, or major part of them, are empo meet and chooſe one other viſitor in the place of ſuch viſitor dying, &c. and ſo, *toties quoties*, as often as the caſe ſhall happ aforeſaid; provided the viſitors herein named, as well as thoſe who ſhall hereafter be choſen as aforeſaid, ſhall in all things lify themſelves as the viſitors of the free-ſchools by law are obliged to qualify.

CHAP. XXVI.

An ACT empowering the veſtrymen and churchwardens of King George's pariſh, in Prince-Geo county, to purchaſe three acres of land in the ſaid pariſh, to build a chapel of eaſe on, empower the juſtices of Prince-George's county to levy on the taxable inhabitants of the pariſh, in the ſaid county, the ſum of eight hundred pounds current money, for the uſes the mentioned. Lib. BLC. fol. 309.

CHAP. XXVII.

An ACT empowering Mary Stokes, widow and executrix of Humphrey Wells Stokes, late of timore county, gentleman, deceaſed, to ſell and diſpoſe of the lands and tenements therein tioned to be ſold, for the uſes and purpoſes thereby directed. Lib. BLC. fol. 310. A Pri Act.

CHAP. XXVIII.

An ACT for the relief of Francis O'Connor, Robert Noble, of Dorcheſter county, planters, Richardſon, of the ſaid county, ſhoemaker, languiſhing priſoners in Dorcheſter county gaol, Joy, a languiſhing priſoner in Talbot county gaol, Cornelius Mahany, of Cæcil county, languiſhing priſoner in Cæcil county gaol, and Robert Floyd, in Queen-Anne's county gaol. BLC. fol. 313. A Private Act.

a SESSION of ASSEMBLY begun and held at the CITY of NNAPOLIS, the 5th day of Auguſt, and ended the 28th day f September, in the 31ſt year of the dominion of the right hourable CHARLES, abſolute Lord and Proprietary of the provinces f Maryland and Avalon, Lord Baron of Baltimore, &c. *annoque omini* 1745, the following laws were enacted.

THOMAS BLADEN, ESQUIRE, GOVERNOR.

CHAP. I.

CT continuing an act, entitled, (a) An act for the ſpeedy and effectual publication of the laws his province, and for the encouragement of Jonas Green, of the city of Annapolis, printer. Paſſed 28th of Sept. 1745.
. BLC. fol. 317.

(a) 1744, ch. 4, hereby continued till the 25th December, 1746.

CHAP. II.

dditional ſupplementary act to the act, entitled, * An act for laying out and erecting a town, * 1742, ch. 23.
place called Long Point, on the weſt ſide of North-Eaſt river, in Cæcil county. Lib. BLC. 317.

B. This act empowered the commiſſioners of the ſaid town to diſpoſe of the lots (which ſhould happen to be forfeited on oth day of May following, for want of building thereon, &c. as by the ſaid act appointed,) by way of ballot, in the ſame er, and giving the ſame notice, as is in the ſaid act directed, or in ſuch other manner as to the major part of them ſhould r moſt conducive to the benefit of the town, and directs all money ariſing by the diſpoſal of ſuch lots to be laid out for the e uſes of the town, and be accounted for by the commiſſioners in the ſame manner as directed by former acts relating to.

CHAP. III.

pplementary act to the act, entitled, * An act to enable commiſſioners therein named to lay * 1744, ch. 23.
forty acres of land into eighty lots, for a town on Indian river, in Worceſter county, as alſo y acres of land into eighty lots at the head of Aſſeteague creek, in a place commonly called e Trap, for a town. Lib. BLC. fol. 318.

B. The ſurveyor of Worceſter county having refuſed to ſtake and diſtinguiſh the lots in the ſaid towns, &c. and it alſo aring that the town called Baltimore-town is not laid out in ſo commodious a place or on ſuch navigable water as it would laid out more bending on Indian river than at preſent it does, this act, 1. Appoints and empowers certain commiſſioners, the aſſiſtance of the ſurveyor of Worceſter county, to lay out anew the ſaid town called Baltimore-town, in ſuch manner as em ſhould ſeem meet, ſo as to include within the bounds thereof ſuch navigable water as might be moſt conveniently ſituate to; and the ſaid commiſſioners are inveſted with the ſame powers, &c. in laying out the ſaid Baltimore-town anew, as the iſſioners were by the former act inveſted with. 2. The ſurveyor of Worceſter county obliged to lay out, ſtake, mark and er, every lot, &c. 3. The ſeveral matters to be done by virtue of this act to be completed on or before the 1ſt May, 1746.

CHAP. IV.

pplementary act to the act, entitled, (b) An act appointing commiſſioners for dividing St. y's county into four pariſhes, and to erect that part of All-Faith and King and Queen pariſh g in Charles county into a diſtinct pariſh. Lib. BLC. fol. 318.

1744, ch. 14, which having been neglected to be carried into execution within the time therein limitted by the commiſs thereby appointed, the preſent act empowered certain others to carry the ſame act into execution, ſo far as relates to the ing St. Mary's county into pariſhes, in the ſame manner, &c. as therein directed, &c. See 1748, ch. 4.

CHAP. V.

CT for laying out the town anew commonly called Princeſs-Anne-town, in Somerſet county. . BLC. fol. 319.

B. The bounds of the town and lots being very obſcure, and no right to be obtained in lots not already taken up, from an ncity of the owner to convey the ſame, this act, 1. Empowers certain commiſſioners to ſurvey and lay out the ſame twenty- cres of land formerly laid out for a town (by the act of 1733, ch. 13,) as ageeeable to the original ſurvey as may be, with- ncommoding the preſent ſettlements thereon, and always having regard to the ground already laid out for public buildings, he ſame be continued to that uſe, and none other, for ever. 2. The commiſſioners, with the aſſiſtance of a ſkilful ſurveyor, urvey the ſaid twenty-five acres before the 1ſt May, 1746, and lay out the ſame into as many convenient lots as were here- in the ſaid town laid out, marked and numbered, from 1 to 30, with the ſame ſtreets, alleys, &c. as formerly laid out, ded they do not incommode the preſent ſettlements, nor the public ground before mentioned, and to cauſe durable poſts, or boundaries, to be ſet up, to ſettle and diſtinguiſh the ſame ſurvey for ever; the ſurveyor to find poſts, &c. for each lot, &c. and to fix the ſame in their proper places, with the mark or number of the lot, which poſt is to aſcertain the be-

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ginning of the ſaid lot; and to make out fair and exact plots of the town and ſurvey thereof, whereby each lot, ſtreet, lane, &c. may appear well diſtinguiſhed by their numbers and names, and the ſame plots, with full certificates thereof, ſhall deliver commiſſioners, to be entered by, and repoſited with, the town clerk. 3. The land ſo laid out, &c. ſhall be erected into to be called Princeſs-Anne-town. 4. The owners of lots already taken up, and not built upon, or that ſhall hereafter up, are required to build thereon, (within three years after the ſurvey made, and a record thereof entered according to one houſe, to cover 400 ſquare feet of ground, with one good brick or ſtone chimney at leaſt; and if ſuch owners build as aforeſaid, then ſhall their right, title, &c. to ſuch lot, at the expiration of the ſaid three years, ceaſe and and ſuch lots become the property of the former proprietors; but if ſuch owners of lots be under age, beyond ſeas, &c. time of ſuch ſurvey, &c. then ſhall ſuch owner have liberty to improve and build upon ſuch lots at any time within after arriving at age, &c. 5. The commiſſioners to employ a ſkilful clerk, who ſhall make a fair record and entry of ceedings, in a ſufficient book, &c. which clerk ſhall tranſmit to the clerk of Somerſet county the whole proceedings, with the plot of the town delivered to him by the ſurveyor, to be lodged and taken charge of among the county records. caſe of refuſal or diſability of the owner to ſell, the commiſſioners were empowered to cauſe ſuch lots to be valued by a jury the payment of their valuation to the proprietor of the land, or a tender thereof to, and refuſal of acceptance by, ſuch proprietors, being duly proved before two county magiſtrates, and an entry or record thereof by the town clerk, and returned by to be lodged with the other proceedings in the county court office, ſhall give the perſons ſo paying or tendering, and complying with the other requiſites in this act mentioned, a good and indefeaſible eſtate of inheritance, in fee-ſimple, to them, their and aſſigns for ever. 7. All lots hereafter to be taken up ſhall be built upon and improved, according to the before-mentioned dimenſions, within three years after taking up; which lots ſo built upon and paid for, or a tender made, &c. as before ſhall be the right, property, &c. of the perſons ſo taking up, improving, &c. their heirs and aſſigns for ever. 8. All perſons have liberty to take up lots for ſeven years after making the ſurvey, and all lots not taken up within the ſaid time, to the former proprietors. 9. Owners of lots in the ſaid town to pay one penny ſterling *per annum* for each lot taken up, to the right honourable the lord proprietor and his heirs for ever. 10. A ſaving to the crown, the lord proprietor, all bodies and corporate, and all others not mentioned in this act, their ſeveral rights, &c.

See the act to aid the titles of purchaſers of lots in this town, (which appeared to be an eſcheat to the lord proprietor,) ch. 16, and its ſupplementary act of 1753, ch. 33.

CHAP. VI.

Paſſed 28th of Sept. 1745. An ACT to prohibit raiſing of ſwine and geeſe in the town of Cambridge, in Dorcheſter county. Lib. BLC. fol. 322.

CHAP. VII.

An ACT to empower and direct the clerk of Anne-Arundel county court to enter and record among the ſaid county records, a deed of bargain and ſale from William Mitchel, Edward Mitchel and Grace his wife, to Mordecai Moore, deceaſed. Lib. BLC. fol. 323. A Private Act.

The requiſites of this act not being performed, another was paſſed to the ſame purpoſe, 1748, ch. 8.

CHAP. VIII.

An ACT to empower and direct the clerk of Charles county to enter and record, among the county records, a deed of bargain and ſale from James Connel and Anne his wife, to John Hebbar, of a parcel of land therein mentioned. Lib. BLC. fol. 324. A Private Act.

CHAP. IX.

* 1729, ch. 12. † 1732, ch. 14. A Supplementary and additional act to the act, entitled, * An act for erecting a town on the ſide of Patapſco, in Baltimore county, and for laying out in lots ſixty acres of land in and the place where John Flemming now lives, and to an act, entitled, † An act for erecting on a creek divided on the eaſt from the town lately laid out in Baltimore county, called Baltimore town, on the land whereon Edward Fell keeps ſtore. Lib. BLC. fol. 325.

N. B. On the joint petition of the inhabitants of Baltimore and Jones's towns, in the county of Baltimore, it is hereby enacted, 1. That the ſame towns, now called Baltimore and Jones's-town, be incorporated into one entire town, and for ever called and known by the name of Baltimore-town, and by no other name. 2. The bridge built by the inhabitants on the creek that divided the ſaid towns ſhall for the future be deemed a public bridge, and repaired and kept, &c. at the charge of the county. 3. Certain commiſſioners (ſeven in number,) appointed to ſee the preſent and former acts, relating to the town mentioned, put in execution, and cauſe them to be carefully ſurveyed by their outlines, therein including the branch where the bridge is built, and ſhall, from time to time, (for preventing diſputes,) cauſe all the lots taken up and improved, or hereafter be taken up, &c to be regularly ſurveyed, ſubſtantially and fairly bounded and numbered. 4. On the death or declining to act of any commiſſioners, the major part of the remaining commiſſioners ſhall appoint another to ſerve in the room of ſuch commiſſioner dying, &c. 5. Diſputes about the bounds of lots ſhall be fully determined by a majority of the commiſſioners, and to prevent partiality herein, the commiſſioners, or major part, ſhall meet at leaſt once a year, and ſee that boundary to each lot be kept up and preſerved in manner before preſcribed, and cauſe other ſufficient boundaries to be fixed in room of any miſſing or decayed. 6. The commiſſioners have power to employ a clerk, who ſhall be under oath fairly and duly to enter in a book, to be kept for that purpoſe, all the proceedings of the ſaid commiſſioners relating to the town; in which book, among other things, ſhall be kept a fair plot of the ſaid town, deſcribing every lot by its right number, and who the up was, or ſhall be; and to prevent corruption, all or any of the ſaid commiſſioners, and their ſucceſſors, ſhall have recourſe to the clerk's books, as frequently as they pleaſe, without fee or reward. 7. The commiſſioners are empowered to levy, and take by way of diſtreſs, if needful, from the inhabitants of the town, by even and equal proportion, the ſum of three pounds yearly, to be paid to their clerk, and alſo have power to place and diſplace their clerk as often as they ſhall think fit. The commiſſioners for the time being may, by due courſe of law, or any other legal manner, in the name of the ſaid commiſſioners, or the major part of them, take, demand and recover, any money which ſhall be found due to the firſt commiſſioners of the ſaid towns, from any takers up of lots, by virtue of the original laws for laying out the ſame, which money they are to the uſes intended by the ſaid original acts, and in no other manner. 9. All after purchaſers of lots, whether before the making of this act, ſhall be deemed to be within the ſaid town, provided their lots ſhall be within the outlines thereof, and ſhall have as good eſtate in their lots, as if taken up, improved and paid for under the original laws erecting the ſaid town. 10. All improvements, of what kind ſoever, either wharfs, houſes, or other buildings, that have or ſhall be made out of

where it uſually flows, ſhall (as an encouragement to ſuch improvers,) be for ever deemed the right, title and inheritance improvers, their heirs and aſſigns for ever. 11. None ſhall keep or raiſe any ſwine, geeſe or ſheep, within the ſaid town, they be well encloſed within ſome lot or pen. 12. All takers up of lots, and former and after purchaſers under this or the laws, complying with the requiſites therein directed, ſhall have a ſure indefeaſible eſtate of inheritance, in fee-ſimple, in s by them taken up, any law, cuſtom, &c. notwithſtanding.

CHAP. X.

CT to enable the commiſſary-general to enter and record, amongſt the records of his office, laſt will and teſtament of Henry Staples, deceaſed, for the purpoſes therein mentioned. Lib. . fol. 327. A Private Act. Paſſed 28th of Sept. 1745.

CHAP. XI.

CT for ſettlement of lands therein mentioned on Francis Waring, and the heirs of his body ully begotten. Lib. BLC. fol. 328. A Private Act.

CHAP. XII.

CT to direct and empower the clerk of Prince-George's county to enter and record, among records of the ſaid county, a deed of bargain and ſale from John Nevil, William Collier and mas Bond, to John Boyd, of a tract of land therein mentioned. Lib. BLC. fol. 329. A vate Act.

CHAP. XIII.

CT for aſcertaining the allowance of petit jurors attending the provincial court, and to limit s with reſpect to evidences. Lib. BLC. fol. 330.

To continue in force three years, &c. Expired.

CHAP. XIV.

CT for laying out one acre of land convenient to Rock Creek Landing, on Patowmack river, he land George Gordon now lives on, and for building a rolling-houſe thereon. Lib. BLC. 331.

CHAP. XV.

ACT for the gauge of barrels for pork, beef, pitch, tar, turpentine, and tare of barrels for flour or bread. Lib. BLC. fol. 332.

R prevention of frauds and abuſes frequently practiſed by greedy and avaricious traders in ork, beef, tar, turpentine and pitch, who, for their own private lucre and gain, not only make t up, or cauſe to be made and ſet up, ſmall barrels, and badly made and hooped, but ſlightly and deceitfully fill the ſame, to the great prejudice of the trade of this province in the ſaid odities and merchandiſes; for the prevention of which ill practices, it is humbly prayed that it e enacted, Preamble.

AND BE IT ENACTED, *by the right honourable the Lord Proprietary, by and with the advice and conſent ordſhip's Governor, and the Upper and Lower Houſes of Aſſembly, and the authority of the ſame*, That and after the firſt day of October, which ſhall be in the year of our Lord one thouſand ſeven ed and forty-ſix, all and every barrel or barrels which ſhall be ſet up to put pork, beef, pitch, turpentine, into, and alſo every barrel or barrels wherein pork or beef ſhall be packed, or n pitch, tar or turpentine ſhall be filled, either for exportation out of, or ſale within this pro- ſhall be of ſize and gauge to contain at leaſt the quantity of thirty-one and a half gallons, meaſure; and that the contents of every pork barrel, at exportation or ſale, ſhall be at the wo hundred and twenty pounds of good net pork; and of every beef barrel, the like quantity d net beef, well ſalted and preſerved; and that every tar or turpentine barrel ſhall be filled ood clean merchantable tar or turpentine, and every pitch barrel with good true made mer- ble pitch. Size and gauge of barrels, &c.

AND, to the end, that all and every barrel or barrels to be hereafter made uſe of for any of rpoſes aforeſaid may, from time to time, be ſet up, made, packed and filled, according to the ons of this act, BE IT ENACTED, *by the authority aforeſaid*, That whatſoever perſon or perſons wittingly or knowingly make or ſet up, or cauſe to be made and ſet up, after the firſt day of er, which ſhall be in the year of our Lord one thouſand ſeven hundred and forty-ſix, any barrel rels for pork, beef, pitch, tar or turpentine, of leſs ſize, gauge or dimenſions, than is directed s act, all and every ſuch perſon or perſons, ſhall, for every ſuch barrel, forfeit and pay the ſum o ſhillings and ſix-pence current money, to be recovered and applied according to the directions s act herein after mentioned. Penalty for making them too ſmall, &c.

IV. AND

CHAP. XV.

For packing, &c. contrary to this act.

IV. And be it further enacted, *by the authority aforesaid*, That whatsoever person or per... from and after the said first day of October, shall pack pork or beef for sale in any barrel or ... made and set up contrary to this act in size, gauge and dimensions, or shall in any barrel or ... pack less pork or beef than this act requires; that is to say, sufficient to make each barrel hold ... at sale or exportation, the quantity directed by this act to be the net quantity and contents of a ... rel of pork, or barrel of beef, all and every such person or persons shall, for every such barrel, ... feit and pay the sum of ten shillings current money.

For selling, &c.

V. And be it further enacted, *by the authority aforesaid*, That whatsoever person or per... from and after the first day of October, which shall be in the year of our Lord one thousand ... hundred and forty-six, shall barter away, bargain for or sell, or expose or offer to sale, in any ... within this province, any pork or beef in any barrel or barrels made or set up contrary to this ... in size, gauge and dimensions, or shall barter away, bargain, sell or expose or offer to sale, in ... way whatsoever as aforesaid, any barrel or barrels of pork, of less net contents in pork, or any ... rel or barrels of beef, of less net contents in beef, than this act directs, all and every such ... or persons shall, for every such barrel, forfeit and pay the sum of ten shillings current money.

For selling tar, &c.

VI. And be it further enacted, *by the authority, advice and consent aforesaid*, That whatever ... son or persons, from and after the said first day of October, shall barter away, bargain or sell, or ... pose or offer to sale, in any way whatsoever, within this province, any tar, turpentine or pitch, ... any barrel or barrels, made and set up contrary to this act in size, gauge and dimensions, or ... barter away, bargain or sell, or expose to or offer to sale, in any way whatsoever as aforesaid, ... barrel or barrels of pitch, filled up with other than good, true made, merchantable pitch, or any ... rel or barrels of tar or turpentine, filled up with other than good merchantable tar or turpen... shall, for every such barrel of pitch, not qualified according to the direction of this act, forfeit ... pay the sum of five shillings current money, and for every such barrel of tar or turpentine, the ... of two shillings and six-pence current money.

For importing contrary to this act.

VII. And, whereas it often happens that beef, pork, pitch, tar and turpentine, are imported ... this province in barrels from other neighbouring parts; for prevention of frauds and abuses ther... Be it enacted, *by the authority aforesaid*, That whatsoever person or persons, from and after the ... first day of October, shall import or bring into this province, by land or water, any pork, beef, ... turpentine or pitch, in barrel or barrels of less size, gauge and dimensions, than this act direct... any barrel or barrels of pork of less net contents in pork, or any barrel or barrels of beef of less ... contents in beef, than this act directs, or any barrel or barrels of tar or turpentine, filled up ... other than good merchantable tar or turpentine, or any barrel or barrels of pitch, filled with ... than good, true made, merchantable pitch, and shall within this province bargain away, barter ... sell, or expose or offer to sale, in any way whatsoever, to any person or persons whatsoever, ... barrel or barrels of beef, pork, pitch, tar or turpentine, or any of them, all and every such ... or persons shall be liable to and pay the forfeitures and penalties in this act mentioned, for ... barrel bartered away, bargained or sold, or exposed or offered to sale, contrary to this act.

And for packing in barrels not truly marked, &c.

VIII. And be it further enacted, *by the authority aforesaid*, That any person or persons ... soever within this province, who shall, after the said first day of October, pack into any barr... barrels flour, or into any barrel or barrels or other cask, bread for sale, and shall not put on the ... of such barrel or barrels, cask or casks, the just and true tare of such barrel or barrels, cask or ... with marking irons, in plain figures, and shall, without such marking of the tare aforesaid on ... bulge of every such barrel or barrels, cask or casks, expose such barrel or barrels of flour, or ... or barrels, cask or casks of bread, to sale, without the true tare of such barrel or barrels, ca... casks, being marked on the bulge as aforesaid, shall, for every such barrel or cask so exposed to ... contrary to this act, forfeit and pay the sum of five shillings current money.

Actions, when to be commenced.

IX. And be it further enacted, *by the authority aforesaid*, That all or any action or actio... be brought, or complaint made to a justice of the peace, as the case may require, for any breach ... breaches of this act, shall be commenced or made within fifteen days next after the offence or ... committed, or discovery made of the same, and not after.

Penalties, how to be recovered.

X. And be it further enacted, *by the authority, advice and consent aforesaid*, That all the p... ties and forfeitures in this act before mentioned shall and may be recovered with costs in any ... court of this province, in the name of the lord proprietary and the informer, by action of debt, ... plaint or information, in which no essoin, protection or wager of law shall be allowed, or ...

magiſtrate, as the caſe ſhall require, one moiety of which penalties and forfeitures ſhall go to unty, to defray the contingent charges of the ſaid county where the action is commenced, or int made and determined, the other moiety to him, her or them, who ſhall inform or ſue for ne. CHAP. XV.

PROVIDED ALWAYS, and it is the true intent and meaning of this act, That no perſon or per- rtering or ſelling ſuch barrel or barrels of pork, beef, pitch, tar, turpentine, flour or bread, eſaid, in any manner contrary to this act, ſhall be ſubject or liable to any forfeiture or for- s in this act contained, after the ſame is taken and received out of his or their poſſeſſion by the r buyers, and unleſs ſuch information be made as aforeſaid to ſome magiſtrate within ten days ter committing ſuch offence or offences. Proviſo.

This act to continue for three years from the firſt day of October, and unto the end of the ſſion of aſſembly which ſhall happen after the ſaid three years. Duration.

tinued by 1750, ch. 10, 1753, ch. 3, 1757, ch. 6, 1760, ch. 11, 1763, ch. 12, for three years, &c. 1766, ch. 4, for ears, November, 1773, ch. 15, for ſeven years, May, 1781, ch. 29, for ſeven years, May, 1788, ch. 18, for ſeven years, ch. 83, till 30th January, 1798, 1798, ch. 10, revived and continued till the end of the ſeſſion, (and all acts done under it ed,) 1798, ch. 71, continued till 30th October, 1805, and to the end of the next ſeſſion after.

SESSION of ASSEMBLY begun and held at the CITY of NNAPOLIS, the 17th day of June, and ended the 8th day of ly, in the 32d year of the dominion of the right honourable HARLES, abſolute Lord and Proprietary of the provinces of Mary- d and Avalon, Lord Baron of Baltimore, &c. *annoque domini* 46, the following laws were made, &c. 1746.

THOMAS BLADEN, ESQUIRE, GOVERNOR.

CHAP. I.

T for iſſuing and taking out of the office of the commiſſioners or truſtees appointed for emit- ills of credit, eſtabliſhed by act of aſſembly, the ſum of four thouſand five hundred pounds nt money, for encouragement of ſuch able-bodied freemen as ſhall voluntarily enliſt themſelves is majeſty's ſervice, for the intended expedition againſt Canada, and for maintaining and con- g them to the place of rendezvous, as alſo for replacing of the ſaid ſum, and for the better ting ordinaries and ordinary-keepers, and for other purpoſes therein mentioned. Lib. BLC. 7. Expired 26th November, 1763. Paſſed 26th of June, 1746.

CHAP. II.

T continuing an act, entitled, (a) An act for the advancement of juſtice. Lib. BLC. 7. Paſſed 8th of July, 1746.

(a) 1742, ch. 4, hereby continued three years, &c.

CHAP. III.

T continuing an act of aſſembly of this province, entitled, (b) An act for the better relief r debtors. Lib. BLC. fol. 347.

(b) 1722, ch. 13, hereby continued three years, &c.

CHAP. IV.

T continuing an act, entitled, (c) An act for relieving the inhabitants of this province from ggrievances in the proſecution of ſuits at law, and for continuing the (d) ſupplementary act o. Lib. BLC. fol. 348.

(c) 1714, ch. 4. (d) 1728, ch. 24; both which were hereby continued for three years, &c.

CHAP. V.

Paſſed 8th of July, 1746.

An ACT continuing an act of aſſembly of this province, entitled, (a) An act to prevent the practices of ſheriffs in collecting and paying the public and county levies. Lib. BLC. fol. 346.

(a) 1742, ch. 7, hereby continued three years, &c.

CHAP. VI.

An ACT continuing an act, entitled, (b) An act for the ſpeedy recovery of ſmall debts in court before a ſingle juſtice of the peace. Lib. BLC. fol. 348.

(b) 1732, ch. 27, hereby continued three years, &c.

CHAP. VII.

An ACT for erecting a county ſchool in Worceſter county, and appointing viſitors for the ſame. Lib. BLC. fol. 349.

A Supplementary act, 1763, ch. 16.

Preamble.

WHEREAS ſince the making an act of aſſembly of this province, entitled, An act for the encouragement of learning, and erecting ſchools in the ſeveral counties within this province, the county of Somerſet, in the ſaid act mentioned, hath been divided, and a new county erected thereout, by the name of Worceſter county: And whereas it ſeems highly neceſſary that the new county ſhould have and enjoy the ſame benefit and advantage in a county ſchool as the other counties within this province; it is humbly prayed that it may be enacted,

Viſitors appointed, &c.

II. AND BE IT ENACTED, *by the right honourable the Lord Proprietary, by and with the advice and conſent of his lordſhip's Governor, and the Upper and Lower Houſes of Aſſembly, and the authority of the ſame*, that the reverend Mr. Patrick Glaſgow, colonel John Scarborough, captain John Purnell, captain Thomas Robins, captain William Lane, major John Selby, and colonel James Martin, be and are hereby nominated, appointed and named, viſitors for Worceſter county ſchool aforeſaid, and are hereby veſted with the ſame powers and authorities for diſcharging the ſeveral offices, duties and truſts impoſed in, and required of the viſitors, as well in the above recited act mentioned as in the ſupplementary act relating thereto, in as full and ample manner, to all intents and purpoſes whatſoever, as if the ſaid Worceſter county had been a county at the time of making the above recited acts, and had been particularly and expreſsly mentioned therein.

Money to be divided, &c.

III. AND BE IT FURTHER ENACTED, *by the authority aforeſaid*, That the money ariſing within this province for the uſe of county ſchools, from and after the twenty-ninth day of September next, ſhall come into the public treaſurers hands, ſhall be divided into thirteen equal parts, and the treaſurers in whoſe hands ſuch money lies, are hereby required to make due payment of one of the thirteen parts, or dividends of money, that ſhall come into their hands for the uſes aforeſaid, on the ſaid 29th day of September, to the viſitors of the ſaid Worceſter county ſchool, and their ſucceſſors, or the major part of them, or their orders, whenſoever they ſhall have occaſion to draw ſuch treaſurers for the ſame; and the viſitors aforeſaid, and their ſucceſſors, are hereby empowered to diſpoſe of all ſuch money as they ſhall receive from time to time, in ſuch manner as may be for the encouragement and advancement of the ſaid Worceſter county ſchool.

CHAP. VIII.

An ACT empowering the veſtrymen and churchwardens of Chriſt Church pariſh, in Calvert county, to build a chapel of eaſe in the ſaid pariſh, and to empower the juſtices of ſaid county to levy on the taxable inhabitants of the ſaid pariſh the ſum of eighty thouſand pounds of tobacco for the uſes therein mentioned. Lib. BLC. fol. 350.

CHAP. IX.

An ACT empowering the juſtices of Talbot and St. Mary's county courts to allow, at the laſt their next county levy, unto Jonas Green, of the city of Annapolis, printer, the ſums therein mentioned. Lib. BLC. fol. 350.

SESSION of ASSEMBLY begun and held at the CITY of AN-APOLIS, the 6th, and ended the 12th day of November, in e 32d year of the dominion of the right honourable CHARLES, bſolute Lord and Proprietary of the provinces of Maryland and valon, Lord Baron of Baltimore, &c. *annoque domini* 1746, e following law was enacted.

THOMAS BLADEN, ESQUIRE, GOVERNOR.

CHAP. X.

CT for iſſuing and paying out of the office of the commiſſioners or truſtees for emitting bills of t, eſtabliſhed by act of aſſembly, the ſum of nine hundred pounds current money in bills of t, as alſo for the payment of two hundred pounds ſterling money for purchaſing proviſions for najeſty's forces raiſed in this province, and other purpoſes, and for continuing part of an act in mentioned. Lib. BLC. fol. 353. Paſſed 12th of Nov. 1746.

SESSION of ASSEMBLY begun and held at the CITY of NNAPOLIS, the 16th day of May, in the 32d year of the do-nion of the right honourable CHARLES, abſolute Lord and Pro-etary of the provinces of Maryland and Avalon, Lord Baron of ltimore, &c. and ended the 11th day of July, in the 33d year his lordſhip's dominion, *annoque domini* 1747, the following ws were enacted. 1747.

SAMUEL OGLE, ESQUIRE, GOVERNOR.

CHAP. I.

T for amending the ſtaple of tobacco, for preventing frauds in his majeſty's cuſtoms, and for nitation of officers fees. Lib. BLC. fol. 357. Paſſed 11th of July, 1747.

To be in force from the 1ſt December, 1748, for five years. Expired.

CHAP. II.

for trial of all matters of fact in the ſeveral counties where they have ariſen or ſhall ariſe. LC. fol. 394.

To be in force till the 1ſt November, 1749. Expired.

CHAP. III.

CT to remedy ſome proceedings in the court of Charles county, to prevent the removal of the records from the public offices. BLC. fol. 400.

The 9 firſt ſections of this act having ceaſed to have any operation are omitted.

D BE IT FURTHER ENACTED, *by and with the authority, advice and conſent aforeſaid*, That for e no clerk or regiſter within this province, (except pariſh regiſters,) ſhall at any time here- Books not to be removed, &c.

 after,

CHAP. III.

after, take, remove, or carry out of their reſpective public offices, or cauſe or ſuffer any perſon or perſons to take, remove, or carry out of their reſpective public offices, any books, papers or other records, to their own houſes, or to any other place, upon any pretence whatſoever, and the ſame keep, or cauſe or ſuffer to be kept out of their reſpective public offices, at any time between the hour of eleven at night and ſix in the morning, under penalty of ten pounds current money for every offence, one moiety thereof to the informer, or to him or her that ſhall ſue for the ſame, the other moiety to be applied to the uſe of the ſchool of the county wherein the offence ſhall be committed, to be recovered in any court of record in this province, by action of debt, bill of indictment, plaint or information, wherein no eſſoin, protection or wager of law, or more than one imparlance, ſhall be allowed.

The act of 1748, ch. 7, enables the county clerks to remove the laſt recording book for judgments, with the four laſt rolls, dockets and papers, and the ſame to keep at their own houſes, or other convenient places, for ſuch time as to them ſhall ſeem neceſſary, without incurring the penalties of this preſent act.

Proviſo. XI. PROVIDED ALWAYS, That all actions or proſecutions in virtue of this act ſhall be commenced within ſix months next after the offence ſhall be committed.

CHAP. IV.

Paſſed 11th of July, 1747. An ACT to remedy ſome defects in an indenture of bargain and ſale, made and executed by Michael Curtis and Sarah his wife, late of St. Mary's county, deceaſed, to Charles Carroll, Eſquire, late of the city of Annapolis, deceaſed. Lib. BLC. fol. 402. A Private Act.

CHAP. V.

An ACT to prohibit the raiſing of ſwine and geeſe in Princeſs-Anne-town, in Somerſet county. Lib. BLC. fol. 404.

CHAP. VI.

An ACT to prohibit the raiſing of ſwine and geeſe in the town of Oxford, in Talbot county. Lib. BLC. fol. 404.

CHAP. VII.

A Supplementary act to the act, entitled, An act for laying out the town anew, commonly called Snow-Hill-town, in Somerſet county. Lib. BLC. fol. 405.

N. B. The original act of 1742, ch. 11, having directed the plot of the town, and proceedings of the commiſſioners, to be lodged with the clerk of Somerſet county, which (by reaſon of the late diviſion of that county,) might make it very inconvenient to the inhabitants of Snow-Hill-town to reſort to the clerk of Somerſet county for making the neceſſary ſearches, &c. the ſaid act directs, 1. That the record book of the proceedings of the commiſſioners, and plot of the town, ſhall be tranſmitted to the clerk of Worceſter county, to be lodged among the records of the ſaid county, &c. 2. That no perſon living within the ſaid town ſhall, on any pretence, keep any ſwine or geeſe belonging to themſelves, or any other, within the ſame town, unleſs within their own encloſures, under penalty of ten ſhillings current money for each tranſgreſſion, to be recovered before any magiſtrate as in the caſe of ſmall debts, for the uſe of the county ſchool.

CHAP. VIII.

An ACT enabling and requiring the clerk of Baltimore county court to record a deed of bargain and ſale from Morgan Murray to Mary Stevenſon, and the making valid the ſame. Lib. BLC. fol. 406. A Private Act.

CHAP. IX.

An ACT empowering the veſtrymen and churchwardens of All-Saints pariſh, in Prince-George's county, or of the county wherein the ſaid pariſh ſhall be, to purchaſe three ſeparate acres of land in the ſaid pariſh, whereon to build a church, and two chapels of eaſe, and to empower the juſtices of Prince-George's county, or of the county wherein the ſaid pariſh ſhall be, to levy on the taxable inhabitants of the ſaid pariſh the ſum of three hundred pounds current money for the purpoſes therein mentioned. Lib. BLC. fol. 406.

CHAP. X.

An ACT to cut off the entail of two hundred acres of land, part of a tract of land called St. Patrick's Hill, lying in Charles county, and to inveſt Thomas Huſſey Luckett with an eſtate in fee ſimple in the ſaid land, and to entail a tract or parcel of land called Waidſtone's Enlargement, being part of a tract of land called Waidſtone, lying in Charles county aforeſaid, in lieu thereof. Lib. BLC. fol. 408. A Private Act.

CHAP. XI.

An ACT continuing an act, entitled, (a) An act to prevent cutting up tobacco plants, deſtroying of tobacco and tobacco-houſes, and for aſcertaining the puniſhment of criminals guilty of the ſaid offences. Lib. BLC. fol. 410.

(a) 1744, ch. 5, hereby continued three years, &c.

CH

CHAP. XII.

ACT continuing an act, entitled, (a) An act for punishment of horse-stealers and other offenders. Lib. BLC. fol. 410. Passed 11th of July, 1747.

(a) 1744, ch. 20, hereby continued three years, &c.

CHAP. XIII.

ACT continuing an act, entitled, An act to prevent the injuring of harbours within this province, and for repealing the act therein mentioned. Lib. BLC. fol. 410.

BE IT ENACTED, *by the right honourable the Lord Proprietary, by and with the advice and consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the authority of the same,* That the above-mentioned act, entitled, An act to prevent the injuring of harbours within this province, and for repealing the act therein mentioned, made at a session of assembly, begun and held at the city of Annapolis the twentieth day of March, *anno domini* one thousand seven hundred and thirty-five, and is hereby continued, and shall remain and be in full force for ever. An act continued.

A supplement to the original act 1774, ch. 18.

CHAP. XIV.

ACT continuing an act of assembly of this province, entitled, (b) An act for the more effectual punishment of certain offenders, and for taking from them the benefit of clergy. Lib. BLC. fol. .

(b) 1737, ch. 2, hereby continued three years, &c.

CHAP. XV.

ACT continuing an act, entitled, (c) A supplementary act to an act, entitled, An act laying an position on negroes, and several sorts of liquors imported, and also on Irish servants, to prevent importing too great a number of Irish papists into this province. Lib. BLC. fol. 411.

(c) 1735, ch. 6, hereby continued three years, &c.

CHAP. XVI.

ACT continuing an act of assembly of this province, entitled, (d) A supplementary act to the entitled, An act for the more effectual punishment of negroes and other slaves, and for taking y the benefit of clergy from certain offenders, and to an act, entitled, An act to prevent the ultuous meeting and other irregularities of negroes and other slaves, and directing the manner rying slaves. Lib. BLC. fol. 412.

(d) 1737, ch. 7, hereby continued three years, &c.

CHAP. XVII.

ACT to prevent certain evils and inconveniencies attending the sale of strong liquors, and running of horse-races, near the yearly meetings of the people called Quakers, and to prevent the tumultuous concourse of negroes and other slaves during the said meetings. Lib. BLC. fol. 412.

WHEREAS the people called Quakers have, by their petition to this present general assembly, set forth and complained, that (notwithstanding the former indulgence of the legislature in ing booths, and other places for selling liquor, from being set up or kept within two miles of meeting-house at West river, and one mile of their meeting-house at Third-Haven creek, in county, which favour they most gratefully acknowledge,) they, as well as those of other persons who resort to their yearly meetings, labour under and suffer many incoveniencies from the concourse of idle and profligate white people, and great crowds of negroes, that assemble to- at the usual times of their yearly meetings, held at their said meeting-houses, drinking to ex- nd behaving in a riotous and turbulent manner, at booths, and other places where strong and ous liquor can be had, at greater distances than before mentioned, and that they have for some ast past been greatly incommoded and endangered in passing and repassing to and from their said g-house, in Talbot county, by multitudes of rude and disorderly people, that gather together horse-races on the road between the said meeting-house at Third-Haven creek, and a place ereto, called New-Market; for prevention of which evils for the future, they have prayed may be enacted, Preamble.

CHAP. XVII.

No perſon to ſet up a booth, &c.

II. BE IT THEREFORE ENACTED, *by the right honourable the Lord Proprietary, by and with the advice and conſent of his lordſhip's Governor, and the Upper and Lower Houſes of Aſſembly, and the authority of the ſame*, That from and after the end of this preſent ſeſſion of aſſembly, if any perſon or perſons whatſoever ſhall ſet up or erect any booth, or other conveniency for ſelling liquor, or giving entertainment, or ſhall ſell, diſpoſe of, or give away any ſtrong or ſpirituous liquor, or give entertainment at ſuch booth or conveniency, within any diſtance leſs than three miles from either of the ſaid meeting-houſes in Talbot or Anne-Arundel county, during the days on which ſuch yearly meetings ſhall be kept or held, he, ſhe or they, ſhall forfeit and pay the ſum of five pounds current money each, one half to the informer, or him or them that will ſue for the ſame, the other half to the uſe of the county ſchool where the offence ſhall be committed, to be recovered in any court of record within the province, by action of debt, bill, plaint or information, wherein no eſſoin, protection or wager of law ſhall be allowed.

Juſtice may iſſue his warrant, &c.

III. AND BE IT FURTHER ENACTED, That every juſtice of the peace for the county where ſuch offence ſhall be committed is hereby authoriſed and required, immediately upon complaint to him made, to iſſue his warrant to cauſe the ſaid offender or offenders to be brought before him, and upon proof of the premiſes, by the oath (or affirmation if a quaker,) of one creditable witneſs, or the confeſſion of the party, to command him, her or them, immediately to remove and take away ſuch booth or convenience, and alſo any ſtrong and ſpirituous liquor, or other accommodations, and giving no entertainment as aforeſaid, and to give good ſecurity for his, her or their appearance at the next court to be held for ſuch county, to anſwer the premiſes, which, if he, ſhe or they, ſhall refuſe to do, immediately then and in ſuch caſe the ſaid juſtice may, and he is hereby empowered and required to commit him, her or them, to the public priſon of the county, there to remain until he, ſhe or they ſhall give ſuch ſecurity as aforeſaid, and ſhall cauſe ſuch booth or other convenience to be removed.

Penalty for ſetting up any booth, &c.

IV. AND BE IT FURTHER ENACTED, That if any perſon or perſons whatſoever, except ſuch as ſhall be lawfully admitted and licenſed by the court to keep an ordinary for the eaſe and accommodation of travellers, ſhall build, ſet up or erect, any booth or convenience within or without ſuch diſtance as is before mentioned, in order to ſell or diſpoſe of any ſtrong or ſpirituous liquors, or other accommodations, or give any entertainment to perſons travelling, or going to or returning from the meeting-houſes, or ſhall preſume to ſell or diſpoſe of any ſuch ſtrong and ſpirituous liquors, or other accommodations, or give ſuch entertainment in ſuch booth or other convenience, he, ſhe or they ſhall, for every ſuch offence, forfeit and pay the ſum of five pounds current money each, to be recovered and applied as aforeſaid.

Ordinary-keepers not to ſell, &c.

V. AND BE IT FURTHER ENACTED, That ſuch ordinary-keepers who ſhall be duly admitted and licenſed by the county court, and who ſhall erect or ſet up any booth, or other conveniency, on the days on which ſuch yearly meetings ſhall be kept, and within a diſtance not leſs than three miles from ſuch meeting-houſes in the ſaid counties of Talbot and Anne-Arundel, ſhall not ſell, give or diſpoſe of, any ſtrong or ſpirituous liquor, or give any entertainment, or other accommodations, upon any pretence whatſoever, to any ſervant, negro or other ſlave, under pain of loſing the price of the liquor ſo ſold, given or diſpoſed of, and paying moreover the ſum of twenty ſhillings current money to be recovered before any ſingle magiſtrate of the county, upon the oath (or affirmation if a quaker) of any one creditable witneſs, and applied as aforeſaid.

Except at his own houſe, &c.

VI. AND BE IT FURTHER ENACTED, That ſuch ordinary keeper ſhall not ſell, give or diſpoſe of any liquors or other accommodations, or give any entertainment, in any booth or other convenience except ſuch as ſhall be at his or her dwelling-houſe, to any perſon or perſons whatſoever, on any of the ſeveral and reſpective days on which ſuch meetings ſhall be kept and held as aforeſaid, after the ſetting of the ſame day, under the penalty and forfeiture of five pounds current money for every ſuch offence, to be recovered and applied as aforeſaid.

Races not to be run, &c.

VII. AND BE IT FURTHER ENACTED, That no perſon or perſons whatſoever ſhall hereafter run or pace any race or races, with any horſe, mare or gelding, for any wager or wagers, for diverſion, or on any pretence whatſoever, on the ground commonly called New-Market, in Talbot county, within the diſtance of five miles from the meeting-houſe in the ſaid county, or within five miles of the meeting-houſe on Weſt river, in Anne-Arundel county, on the days on which the ſaid meetings, or either of them, ſhall be kept and held, under the penalty of the owner or owners of ſuch horſe, mare or gelding, who ſhall ſo run or pace his horſe, mare or gelding, or knowingly ſuffer them to be run or paced, forfeiting and paying for every ſuch race five pounds current money, to be recovered

plied as aforeſaid; and the perſon or perſons who ſhall preſume to make any horſe-race, lay any on ſuch race, or run for his, her or their diverſion, or who ſhall preſume to ride a race on any mare or gelding, belonging to any other perſon, on the days and within the diſtance from the eſpective meeting-houſes afore-mentioned, ſhall for every offence forfeit and pay the ſum of five s current money, to be recovered and applied as aforeſaid.

Conſtables to repair with aſſiſtance, &c.

II. AND BE IT FURTHER ENACTED AND DECLARED, That the conſtables of the ſeveral and re- ve hundreds of the ſaid counties of Anne-Arundel and Talbot, ſhall, upon their knowing, or applied to during the time of holding the ſaid yearly meetings, by any other perſon or perſons ing them, that great numbers or crowds of negroes or other ſlaves have met in a tumultuous orderly manner within the ſaid counties, immediately to repair with ſuch aſſiſtance as he or hall think neceſſary to ſuch place where ſuch negroes and other ſlaves ſhall be aſſembled, and e and command them immediately to diſperſe and retire to their ſeveral dwellings, which, if or any of them, ſhall refuſe or delay to do, or ſhall behave impudently or turbulently, ſuch ble or conſtables ſhall ſeize and take ſuch negro or negroes, or other ſlave or ſlaves, ſo refuſing, g or miſbehaving, and give him, her or them, a due correction, by whipping on the bare back ny number of ſtripes not exceeding thirty-nine.

Proviſo.

PROVIDED ALWAYS, That nothing herein ſhall extend, or be conſtrued to extend, to prevent, or preclude, any licenſed ordinary-keeper, whoſe ſettled dwelling ſhall happen to be within miles of, or a nearer diſtance from, ſuch meeting-houſes, or either of them, from erecting or g any booths, or other conveniencies, for the better accommodating and refreſhing perſons to or returning from ſuch meetings, ſo that the ſame be in his or her dwelling-houſe, and ſub- the ſeveral other reſtrictions and limitations herein before expreſſed, or from ſelling ſuch li- or accommodations in ſuch dwelling-houſe.

Duration.

This act to continue from and after the end of this preſent ſeſſion of aſſembly for and during ce of three years, and unto the end of the next ſeſſion of aſſembly which ſhall happen after piration of the ſaid three years.

ther continued by 1751, ch. 19, 1754, ch. 12, 1757, ch. 20, 1762, ch. 3, 1765, ch. 23, June, 1773, ch. 2, October, 1780, November, 1787, ch. 38, 1795, ch. 83, till 30th January, 1798. Revived and continued to the end of the ſeſſion (and done under it confirmed,) by 1798, ch. 10, except where altered by other acts, and by 1798, ch. 71, enacted into a perma- aw.

he act of 1752, ch. 14, ſection 4, ſo much of this act as prohibits the ſetting up and renting any booth or conveniency, or or diſpoſing of any ſtrong or ſpirituous liquors, or other accommodation, or giving any entertainment to any perſon at nce leſs than three miles, is repealed.

CHAP. XVIII.

Paſſed 11th of July, 1747.

CT empowering certain commiſſioners therein mentioned to lay out and ſet a price, or cauſe a to be ſet on, two acres of land in St. Margaret's-Weſtminſter pariſh, in Anne-Arundel coun- whereon the chapel of eaſe belonging to the ſaid pariſh now ſtands. Lib. BLC. fol. 415.

CHAP. XIX.

CT for raiſing three-pence ſterling per hogſhead on all tobacco to be exported, for purchaſing and ammunition, and for an immediate ſupply of arms for the defence of this province. Lib. fol. 416.

ain in force till 29th September, 1748. Continued by 1748, ch. 11, till the 29th September, 1749, and then expired.

CHAP. XX.

CT to enable Onorio Razolini to convey, in right of Elizabeth Calvert, an infant, to George r, Eſquire, certain lands therein mentioned. Lib. BLC. fol. 418. A Private Act.

CHAP. XXI.

ACT for the enlargement of Baltimore-town, in Baltimore coun- and other purpoſes therein mentioned. Lib. BLC. fol. 420.

Preamble.

HEREAS the inhabitants of Baltimore-town, in Baltimore county, by their humble petition to this general aſſembly, have ſet forth, that there is between what was formerly called town and Baltimore-town, a parcel of land, of about eighteen acres, which is not included was called Jones's-town, nor in Baltimore-town, and which, by being laid out into lots, by means of a bridge which is already built, reduce the ſaid places into one, and that making dition would be an encouragement to people to build and improve; they therefore pray that eighteen acres of land, or thereabouts, may be laid out into lots, and made a part of Baltimore-

town;

CHAP. XXI.

town; and further, the ſaid petitioners ſet forth, that ſundry of the lanes and alleys of Baltimore-town were made ſo narrow as to render them inconvenient, if not uſeleſs, wherefore they pray, that by conſent of the owners of lots in ſaid town the ſaid lanes and alleys may be enlarged;

Land to be laid out into lots, &c.

II. BE IT THEREFORE ENACTED, *by the right honourable the Lord Proprietary, by and with the advice and conſent of his lordſhip's Governor, and the Upper and Lower Houſes of Aſſembly, and the authority of the ſame*, That the commiſſioners of the ſaid Baltimore-town, or the major part of them, do, at any time they ſhall ſee convenient before the firſt day of December next, cauſe the ſaid eighteen acres of land to be ſurveyed and laid out into lots, in ſuch manner as to them ſhall ſeem convenient, and that when the ſame ſhall be ſo done, it ſhall be, and is hereby declared to be, part of Baltimore-town aforeſaid, to all intents and purpoſes whatſoever, as fully and amply as if included originally therein, and have the ſame immunities and privileges as the reſt of ſaid town have, or by former laws ought to have; and any perſon or perſons that ſhall build or improve on the ſaid eighteen acres of land, or thereabouts, after the ſame ſhall be laid out into lots, as by former laws relating to ſaid town is directed, and purchaſe the ſame from the proprietor or proprietors, ſhall have an abſolute eſtate of inheritance in any lot or lots ſo to be built on and purchaſed, but the purchaſer or purchaſers of any part of the ſaid eighteen acres, or thereabouts, are hereby left to agree with the proprietor or proprietors thereof, and not otherwiſe to have title to any the ſaid new lot or lots, to be laid out by virtue of this act.

Power of the commiſſioners.

III. AND BE IT FURTHER ENACTED, That the commiſſioners of the ſaid town for the time being, or the major part of them, ſhall have full power and authority, with the conſent and approbation of the owners of any lot or lots already laid out in ſaid town, to alter any lanes or alleys they ſhall think fit, and to widen the ſame, ſo as to render them commodious.

Two annual fairs to be held, &c.

IV. AND, whereas it may be advantageous to ſaid town to have fairs kept therein, and may prove an encouragement to the back inhabitants and others to bring commodities there to ſell and vend; BE IT ENACTED, That it ſhall and may be lawful for the commiſſioners of ſaid town to appoint two fairs to be held therein annually, the one fair to begin on the firſt Thurſday of October, and the other on the firſt Thurſday of May, annually, which ſaid fairs ſhall he held each for the ſpace of three days, and that during the continuance of ſuch fair or fairs, all perſons within the bounds of ſaid town ſhall be privileged and free from arreſts, except for felony or breach of the peace; and all perſons coming to ſuch fair or fairs, or returning therefrom, ſhall have the like privilege for one day before the fair, and one day on their return therefrom; and the commiſſioners for the ſaid town are hereby empowered to make ſuch rules and orders for the holding the ſaid fairs, as may tend to prevent all diſorders and inconveniencies that may happen in ſaid town, and ſuch as may tend to the improvement and regulating of ſaid town in general, ſo as ſuch rules, except in fair-time, affect not but the livers in ſaid town, or ſuch perſon or perſons as have or ſhall have lots or a free-hold there, any law, ſtatute, uſage or cuſtom to the contrary notwithſtanding.

Proviſo.

V. PROVIDED ALWAYS, That ſuch rules and orders be not inconſiſtent with the laws of this province, nor the ſtatutes or cuſtoms of Great-Britain.

Nuiſances to be removed.

VI. AND BE IT FURTHER ENACTED, That the commiſſioners for the ſaid town, or the major part of them, from time to time, and at all times, have power to remove all nuiſances that they ſhall find in any the ſtreets, lanes or alleys of ſaid town.

Penalty for chimnies taking fire, &c.

VII. AND, for prevention of any damage by fire in the ſaid town, BE IT ENACTED, That any inhabitant therein, who ſhall, after the firſt day of December next enſuing, permit his, her or their chimney to take fire, ſo as to blaze out at the top, ſhall forfeit and pay the ſum of ten ſhillings current money for every ſuch offence; and any perſon having a houſe in the ſaid town with a chimney and in uſe, who ſhall not, after the ſaid firſt day of December, keep a ladder high enough to reach to the top of the roof of ſuch houſe, ſhall alſo forfeit and pay ten ſhillings current money; which ſaid fines ſhall be recovered by and in the name of the ſaid commiſſioners, or the major part of them, before a ſingle magiſtrate, as in the caſe of ſmall debts, and when recovered, ſhall be applied by the ſaid commiſſioners, or the major part of them, to ſome building or improvement in the ſaid town, ſuch as to the repair of the bridge, or making and repairing a public wharf; and that they keep an exact account of all fines ariſing by this act, and how the ſame ſhall have been diſpoſed of.

Proviſo.

VIII. PROVIDED NEVERTHELESS, That this act, nor any thing herein contained, ſhall extend, or be conſtrued to extend, to enable or capacitate the ſaid commiſſioners or inhabitants of the ſaid

or chooſe delegates or burgeſſes to ſet in the general aſſembly of this province as repreſenta- CHAP. XXI.
the ſaid town; BUT IT IS HEREBY ENACTED, That the commiſſioners, or the inhabitants of
town, ſhall not elect or chooſe any delegate or delegates, burgeſs or burgeſſes, to repreſent
town in any general aſſembly of this province.

provisions contained in the third and ſucceeding ſections of this act have been altered by a variety of acts, and are not force.

CHAP. XXII.

T for repairing and amending the public and county gaol in the city of Annapolis. Lib. fol. 422. Paſſed 11th of July, 1747.

CHAP. XXIII.

ACT to prevent evils ariſing from the entering up judgments upon nds, commonly called judgment bonds, to direct the manner of ing executions on loan-office bonds, and to regulate certain fees erein mentioned. Lib. BLC. fol. 422.

HEREAS it has been the practice to take bonds, with power contained in the condition of Preamble.
ſuch bonds upon non-payment, to any attornies practiſing in any court of record within the
n of Great-Britain, to confeſs judgment, and thereupon, without any previous proceſs,
ts have not only been confeſſed in the provincial and county courts of this province, but alſo
ourts, before a ſingle magiſtrate, and executions have iſſued thereon, to the great damage of
eople, who, in caſe *capias* had iſſued, and they had time to plead to ſuch bonds, many good
might have been pleaded againſt the ſame; for prevention of which evils for the future, it is
prayed that it may be enacted,

ND BE IT ENACTED, *by the right honourable the Lord Proprietary, by and with the advice and con-* No judgment
is lordſhip's Governor, and the Upper and Lower Houſes of Aſſembly, and the authority of the ſame, to be confeſſed,
om and after the end of this ſeſſion of aſſembly, it ſhall not be lawful for any attorney prac- &c.
w, or who ſhall hereafter practiſe the law in any court of record within this province, or any
erſon whatever, to confeſs a judgment either in court, or before one or more juſtices of ſuch
courts out of court, for any ſum or ſums of money or tobacco, or other matter, by virtue of
er or powers of attorney, either ſeparate or contained in any ſuch bonds, commonly called
t bonds, which ſhall be taken or executed after the end of this ſeſſion of aſſembly; nor ſhall
wful for the juſtices of any court of record within this province to give judgment upon any
ds, by virtue of any ſuch power or powers.

ND, whereas by an act, entitled, An act for emitting and making current ninety thouſand
urrent money of Maryland in bills of credit, it is, amongſt other things, therein enacted,
he ſaid commiſſioners or truſtees, or any two of them, may take bonds or other obligations,
nd ſufficient perſons, for any of the ſaid bills of credit, at the intereſt of four pounds *per*
annum, and ſo in proportion for a greater or leſſer ſum, payable at ſuch time as ſhall be agreed
ch bonds or obligations ſhall be payable to the commiſſioners or truſtees, or their ſucceſſors,
be of the ſame force and effect to all intents and purpoſes, as ſtatutes merchant, or of the
nd ſhall and may be proceeded on accordingly," whereby it is evident, that there need no
ts be entered up, or confeſſed upon ſuch bonds, which makes the expences thereof burthen-
grievous to the parties; for prevention of ſuch evil for the future, BE IT ENACTED, *by the*
advice and conſent aforeſaid, That from and after the end of this ſeſſion of aſſembly, when Commiſſioners
on or perſons, who have paſſed, or ſhall, during the continuance of the act aforeſaid, paſs, &c. may order a ſuit, &c.
or bonds for any ſum or ſums in the ſaid bills of credit, to the ſaid commiſſioners heretofore,
he time being, and fail in payment, and need may require ſuing any ſuch bond or bonds for
r ſecuring the ſums due, it ſhall and may be lawful for the ſaid commiſſioners or truſtees for
being, to cauſe the clerk of the provincial court to enter ſuch bond in the records of the
rt, and thereupon make an order, ſigned by them the ſaid commiſſioners or truſtees for the
ng, to ſaid clerk, to make out ſuch execution as they ſhall judge proper, againſt the body,
chattels, lands and tenements, rights or credits, of ſuch debtor or debtors, their ſurety or
which order likewiſe ſhall be entered with ſuch bond in the records aforeſaid by the ſaid
nd the clerk of the provincial court for the time being ſhall, and he is hereby obliged, autho-
d directed, to enter ſuch bond and order, and immediately thereupon to make out ſuch exe-
ſhall be required under the hands of the ſaid commiſſioners for the time being, and directed
heriff, coroner, or other officer or officers, as the caſe may require, and ſuch ſheriff or ſhe-

CHAP. XXIII.

riffs, coroner or coroners, or other officer or officers, as the caſe ſhall or may require, are hereby empowered and directed to execute the ſame in common form, as ſuch writs or executions would have been, ſhould or ought to be executed.

Bonds not to be affected, &c.

IV. And, whereas the credit of the office of the commiſſioners or truſtees aforeſaid hath been and ought to be ſupported, It is hereby enacted, That no bond or bonds taken or to be taken in the ſaid office by the commiſſioners or truſtees aforeſaid, in virtue or by directions of the recited act aforeſaid, ſhall be affected by any act for limitation of actions within this province, but that every bond or bonds ſo taken or to be taken by the ſaid commiſſioners or truſtees, ſhall remain, and be good and effectual in law, during the continuance of the act, entitled, An act for emitting and making current ninety thouſand pounds current money of Maryland in bills of credit, any law, ſtatute, uſage or cuſtom to the contrary notwithſtanding.

In ſection 3d there is a recital of the act of 1733, ch. 6, which act being expired, that and the 4th ſection have ceaſed to have any operation.

Fees to be charged on what is due.

V. And be it enacted, That from and after the end of this ſeſſion of aſſembly, it ſhall not be lawful for any ſheriff or coroner to charge to, or take from, any perſon or perſons within this province, any other or greater execution fee than ſuch as ſhall ariſe on what ſhall be really due on the bond or bonds.

One fee only to be charged, &c.

VI. And, for prevention of exorbitant fees being taken by attornies practiſing in any courts of record within this province, and of clerks from multiplying ſuits in the county courts, Be it likewiſe enacted and declared, That from and after the end of this ſeſſion of aſſembly it ſhall not be lawful for any attorney practiſing within this province to charge or take more than one fee for or upon any bond or bonds whatſoever, although there ſhall or may be one or more ſurety or ſureties in ſuch bond or bonds, for ſuing or bringing the ſame to judgment and execution, or for defence of the ſame action, rating ſuch fee or fees from the real balance due and owing on the ſum mentioned in the condition of ſuch bond or bonds.

One writ, &c. to be iſſued, &c.

VII. And be it further enacted, *by the authority aforeſaid*, That from and after the end of this ſeſſion of aſſembly, it ſhall not be lawful for any county clerk within this province to iſſue or make out any more than one writ or declaration on ſuch bond or bonds, wherein the principal and ſurety or ſureties reſide in one and the ſame county, but that in all ſuch caſes one action only ſhall be founded on ſuch bond or bonds, which ſuit ſhall not abate during the life of any one of the defendants, and the clerks fees ariſing thereon ſhall be chargeable accordingly, and not otherwiſe.

Proviſo.

VIII. Provided always, That in all actions hereafter to be commenced in the provincial courts on ſuch bond or bonds, where the principal and ſurety or ſureties therein reſide in different counties, in ſuch caſe ſeparate proceſs ſhall and may iſſue thereon, but that where any two of the parties to ſuch bond or bonds reſide in one and the ſame county, one writ only ſhall iſſue to ſuch county, including both defendants names therein, and all fees ariſing thereon ſhall be chargeable as one ſuit only, and not otherwiſe.

Proviſo.

IX. Provided always, That nothing herein contained ſhall extend, or be conſtrued to extend, to any action or ſuit where the plaintiff ſhall give directions to any attorney or attornies to commence ſeveral actions, or where a titling or titlings ſhall be ſent to the ſaid office or offices for the iſſuing ſeveral writs on one and the ſame bond.

CHAP. XXIV.

Paſſed 11th of July, 1747.

An ACT repealing an act of aſſembly, entitled, * An act to enable the rector, veſtrymen and churchwardens for the time being, of St. Anne's pariſh, in Anne-Arundel county, to leaſe certain lots in the city of Annapolis, in manner and to the uſes therein mentioned, and to enable the ſaid rector, veſtrymen and churchwardens, to leaſe certain lots of land within the ſaid city of Annapolis. L. BLC. fol. 425.

* 1742, ch. 22.

Preamble.

WHEREAS the rector, veſtrymen and churchwardens of St. Anne's pariſh, in Anne-Arundel county, have, by their humble petition to this general aſſembly, ſet forth, that by an act

CHAP. XXIV.

made and paſſed at a ſeſſion of aſſembly begun and held at the city of Annapolis on the irſt day of September, ſeventeen hundred and forty-two, entitled, An act to enable the rec- rymen and churchwardens, for the time being, of St. Anne's pariſh, in Anne-Arundel coun- eaſe certain lots in the city of Annapolis, in manner and to the uſes therein mentioned, as given to leaſe the lots in the ſaid city, numbered reſpectively fifty-nine, ſixty, ſixty-one, lives, or twenty-one years, as by the ſaid act may appear; and further they ſet forth, that hey have, ſince the paſſing the aforeſaid act, ſpared no pains to find tenants for the ſaid lots he ſaid act, that ſuch endeavours have proved ineffectual, by reaſon of the ſhort limitation of which they could make ſuch leaſes, they therefore beg leave to bring in a bill to repeal the ntioned act, and to enable them and their ſucceſſors to leaſe the ſaid lots for the term of ſix- years, and from the end of the ſaid term to grant new leaſes for twenty-one years, or three the ſame uſes and purpoſes as in the ſaid recited act is mentioned;

An act repealed.

E IT THEREFORE ENACTED, *by the right honourable the Lord Proprietary, by and with the advice and f his lordſhip's Governor, and the Upper and Lower Houſes of Aſſembly, and the authority of the ſame,* e before recited act of aſſembly, entitled, An act to enable the rector, veſtrymen and church- , for the time being, of St. Anne's pariſh, in Anne-Arundel county, to leaſe certain lots in of Annapolis, in manner and to the uſes therein mentioned, be and is hereby abrogated, ll and void, as if it never had been made.

Rector, &c. to leaſe the lots, &c.

ND BE IT FURTHER ENACTED, *by the authority aforeſaid, by and with the advice and conſent* , That from and after the end of this preſent ſeſſion of aſſembly, it ſhall and may be lawful rector, veſtrymen and churchwardens, of the ſaid pariſh, for the time being, to grant, leaſe, and to farm let, to any perſon or perſons willing and capable to take the ſame aforeſaid lots numbered fifty-nine, ſixty, ſixty-one, or any or either of them, or any part of either of y deed indented, under the hands and ſeals of the ſaid rector, veſtrymen and churchwardens, time being, or the major part of them, and on ſuch conditions, covenants, proviſions, agree- nd yearly rents, as the ſaid rector, veſtrymen and churchwardens, for the time being, or the rt of them, and the perſon or perſons who ſhall, from time to time, be willing and deſirous the ſame, or any of them, or any part of either of them, ſhall agree upon, for any term not ng ſixty-three years.

And grant new leaſes, &c.

ND BE IT FURTHER ENACTED, *by the authority aforeſaid.* That the rector, veſtrymen and wardens for the time being, have full power and authority, after the expiration of the ſaid o grant new leaſes of all or any the ſaid premiſes for the term of twenty-one years, or three o the uſes, intents and purpoſes in this act mentioned, and to no other, and for a ſhorter time, em, or the major part of them, for the time being, ſhall ſeem convenient.

Rents to belong to the incumbent.

ND BE IT FURTHER ENACTED AND DECLARED, That the yearly rents, revenues and profits aid mentioned premiſes, and all and every part of them, be and are hereby declared to belong ncumbent of ſaid pariſh for the time being, for his ſole and ſeparate uſe and benefit, and to r uſe, intent or purpoſe whatſoever.

One year's rent may be demanded for renewal.

ND BE IT FURTHER ENACTED, That when any of the ſaid leaſes or demiſes ſhall expire or ine, if the incumbent for the time being, or any perſon or perſons on his behalf, ſhall aſk, de- nd receive, of and from any perſon or perſons whatſoever, either directly or indirectly, any ſums of money, or other goods or effects, as a fine or fines for the granting a new leaſe or of any the before-mentioned premiſes, or any part of them, which in value exceeds one year's n ſuch new leaſe or demiſe to be reſerved, that then and in ſuch caſe the new leaſe or demiſe e made ſhall be void and of none effect, as if the ſame had never been made.

How the rents ſhall be diſpoſed of, &c.

ND BE IT FURTHER ENACTED, *by the authority aforeſaid,* That if a vacancy ſhall happen in d pariſh, for want of an incumbent, that then and in ſuch caſe it ſhall and may be lawful for trymen and churchwardens of the ſaid pariſh for the time being, or the major part of them, to mand and receive, of and from ſuch perſon or perſons from whom the ſame ſhall be payable, veral rents to be reſerved as aforeſaid, accruing due during a vacancy, and the ſame ſhall be by ſuch veſtrymen and churchwardens for the time being, or the major part of them, to the ſes and purpoſes as the forty per poll on the like occaſion is by former laws applied; and in y leaſe to be made of any the aforeſaid premiſes ſhall, during ſuch vacancy, expire, ceaſe or ine, that then and in ſuch caſe it ſhall and may be lawful to and for the veſtrymen and church- s of the ſaid pariſh for the time being, to renew or leaſe again the ſame, in the ſame manner,

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and to the ſame uſes and purpoſes, and under the like reſtrictions, as are herein before ſet forth concerning leaſe or leaſes to be made by the incumbent, veſtrymen and churchwardens of ſaid parish any law, ſtatute, uſage or cuſtom to the contrary notwithſtanding.

Proviſo.

VIII. PROVIDED ALWAYS, That nothing in this act contained ſhall be conſtrued to make void invalid any leaſe or leaſes, or contracts now ſubſiſting or heretofore entered into by the rector veſtrymen and churchwardens of ſaid pariſh, with any perſon or perſons, but that the ſame, if ſuch, be and remain in full force and vigour as if this act had never been made.

Leaſes to be regiſtered, &c.

IX. AND BE IT FURTHER ENACTED, *by the authority aforeſaid*, That all leaſe or leaſes to be made the aforeſaid rector, veſtrymen and churchwardens, or the major part of them, or in caſe of a vacancy, by the veſtrymen and churchwardens, or the major part of them, ſhall and are hereby directed to be regiſtered by the clerk or regiſter of the pariſh aforeſaid within the ſpace of three months after the date of any ſuch leaſe or leaſes, at the requeſt of the leſſee or leſſees, and that the ſame leaſe or leaſes be entered word for word in the regiſter book of ſaid pariſh; that ſuch regiſter receive and take as a reward for ſo regiſtering ſuch leaſe or leaſes, for each, a fee of five ſhillings current money of Maryland, and no more; and that in caſe copy of any ſuch leaſe or leaſes ſhould be required by any perſon, that then the regiſter for the time being take the like reward, and no more; and in caſe of any ſuit touching ſuch leaſe or leaſes, then an atteſted copy of ſuch leaſe or leaſes, attested by ſuch regiſter or regiſters, ſhall be as good evidence on either ſide as if the original leaſe or leaſes ſhould be produced; and in caſes of theſe leaſes, no acknowledgment ſhall be requiſite, but leaſes made for the premiſes aforeſaid, or any part of them, ſhall be as effectual made in purſuance of this act, as if no other law had relation to them, any law, uſage or cuſtom to the contrary notwithſtanding.

CHAP. XXV.

Paſſed 11th of July, 1747.

An ACT for raiſing a duty of three halfpence ſterling per hogſhead on all tobacco exported out of this province, for the uſe of the governor. Lib. BLC. fol. 427.

To be in force till the 29th September, 1748. Continued by 1748, ch. 17, till the 29th September, 1749, and then expired.

CHAP. XXVI.

An ACT for continuing an act of aſſembly of this province, entitled, (a) An act aſcertaining the gauge and tare of tobacco hogſheads, and to prevent cutting, cropping and defacing tobacco on board ſhips or veſſels upon freight. Lib. BLC. fol. 428.

(a) 1736, ch. 9, hereby continued till the 1ſt December, 1748.

CHAP. XXVII.

An ACT reviving an act, entitled, (b) An act for the ſpeedy and effectual publication of the laws of this province, and for the encouragement of Jonas Green, of the city of Annapolis, printer, and to other purpoſes therein mentioned. Lib. BLC. fol. 428.

(b) 1744, ch. 4, hereby continued, and, together with this law, to be in force till 25th December, 1748.

CHAP. XXVIII.

An ACT for the aſſeſſment and payment of the public charge of this province. Lib. BLC. fol. 430.

a SESSION of ASSEMBLY, begun and held at the City of NNAPOLIS, the 10th day of May, in the 33d year of the do-inion of the right honourable Charles, abſolute Lord and Pro-rietary of the Provinces of Maryland and Avalon, Lord Baron of altimore, &c. *annoque domini* 1748, and ended the 11th day of une following, in the 34th year of his lordſhip's dominion, the llowing laws were enacted.

SAMUEL OGLE, Esquire, Governor.

CHAP. I.

CT to exempt perſons appearing at muſters from arreſts in civil caſes. Lib. BLC. fol. 434. Paſſed 11th of June, 1748.

ntinued for three years, &c. Farther continued by 1751, ch. 18, 1754, ch. 16, 1757, ch. 27, 1762, ch. 2, November, 1765, 4, June, 1773, ch. 2, October, 1780, ch. 12, November, 1787, ch. 38, for 7 years, &c. Expired.

CHAP. II.

CT empowering the juſtices of Kent county to aſſeſs and levy on the taxable inhabitants of ewſbury pariſh, in the ſaid county, a ſum not exceeding eight thouſand pounds of tobacco, for uſes therein mentioned. Lib. BLC. fol. 434.

CHAP. III.

CT to prohibit the raiſing of ſwine in Leonard's-town, in St. Mary's county. Lib. BLC. fol.

CHAP. IV.

CT for aſcertaining the bounds of King and Queen pariſh, in St. Mary's county, and for ing the ſame and All-Faith's, complete pariſhes, on the death of the reverend Mr. John uhart, preſent incumbent of All-Faith's pariſh, lying in St. Mary's and Charles counties. BLC. fol. 435.

B. Certain commiſſioners having been empowered by the act of 1744, ch. 14, to divide St. Mary's county into four ſeveral es, which power was through ſome accident neglected to be executed, a ſupplementary act was made in 1745, ch. 4, ap-ting commiſſioners for the ſame purpoſe, and for erecting that part of All-Faith and King and Queen pariſh lying in Charles y, into a diſtinct pariſh; which laſt commiſſioners proceeded to perform the duty in the laſt recited act enjoined, and re-d a fair account of their proceedings, which were entered among the records of the county court, but the veſtrymen, &c. ing and Queen pariſh having made appear to this general aſſembly, that the line which by the ſaid proceedings of the com-ners was directed to run from major Barnes's mill, as the dividing line between the ſaid King and Queen and All-Faith's , and appears to be north forty-two degrees and an half weſt to the extremity of the county, does not leave to the ſaid and Queen pariſh a proportionable number of taxable inhabitants of the ſaid county, as directed by the firſt act, the preſent eclares, that from the death, &c. of the reverend Mr. Urquhart, the ſaid pariſhes of King and Queen and All-Faith ſhall be ed by a line to run from major Barnes's mill north thirty-ſix degrees weſt to the extremity of the ſaid county, and not by nes mentioned in the proceedings of the ſaid commiſſioners, &c.

CHAP. V.

CT to empower and direct the clerk of Anne-Arundel county court to enter and record among ſaid county records a deed of bargain and ſale from William Mitchel, Edward Mitchel and ce his wife, to Mordecai Moore, deceaſed. Lib. BLC. fol. 436. A Private Act.

CHAP. VI.

CT empowering the juſtices of Worceſter county to levy on the taxable inhabitants of All-lows pariſh, in the ſaid county, a ſum not exceeding eighty thouſand pounds of tobacco, for the therein mentioned. Lib. BLC. fol. 437.

CHAP. VII.

ACT to enable the ſeveral and reſpective county clerks within this rovince to remove ſome of the county records and papers from the ublic offices. Lib. BLC. fol. 439.

HEREAS at a ſeſſion of aſſembly, begun and held at the city of Annapolis the ſixteenth day of May, *anno domini* ſeventeen hundred forty and ſeven, an act was made, entitled, An act edy ſome proceedings in the court of Charles county, and to prevent the removal of the re-cords Preamble.

CHAP. VII.

cords from the public offices; wherein among other things, it is enacted, "that for the future no clerk or regiſter within this province, (except pariſh regiſters,) ſhall at any time hereafter take, remove, or carry out of their reſpective public offices, or cauſe or ſuffer any perſon or perſons to take, remove, or carry out of their reſpective public offices, any books, papers or other records, to their own houſes, or to any other place, upon any pretence whatſoever, and the ſame ſo keep, or cauſe or ſuffer to be kept, out of their reſpective public offices, at any time between the hours of eleven at night and ſix in the morning, under penalty of ten pounds current money for every offence, one moiety thereof to the informer, or to him or her that ſhall ſue for the ſame, the other moiety to be applied to the uſe of the ſchool of the county wherein the offence ſhall be committed, to be recovered in any court of record in this province by action of debt, bill of indictment, plaint or information, wherein no eſſoin, protection or wager of law, or more than one imparlance, ſhall be allowed." And whereas ſeveral of the county clerks within this province, in behalf of themſelves and others of the ſaid county clerks, have humbly repreſented to this preſent general aſſembly, that by the above recited act, they, and all other the county clerks aforeſaid, are laid under ſuch hardſhips that it is impracticable for them to execute that duty, inaſmuch as a great part of their buſineſs muſt of neceſſity be done in the winter ſeaſon, and that their dwellings are at ſome diſtance from their ſeveral and reſpective court-houſes; this preſent general aſſembly having taken the ſaid repreſentation into conſideration, and being well ſatisfied of the truth of the facts mentioned therein, are willing and deſirous to remove the hardſhips complained of;

Clerks may remove certain books, &c.

II. BE IT THEREFORE ENACTED, *by the right honourable the Lord Proprietary, by and with the advice and conſent of his lordſhip's Governor, and the Upper and Lower Houſes of Aſſembly, and the authority of the ſame*, That from and after the tenth day of July next, it ſhall and may be lawful to and for the ſeveral reſpective county clerks within this province, to take, remove, or carry out of their reſpective public offices, the laſt recording book for judgments by them kept in their ſeveral and reſpective public offices, together with the four laſt courts dockets and papers, next preceding the time of ſuch taking out, and the ſame to keep at their own houſes, or any other place more ſuitable to their convenience within the county, for and during ſuch time as to them, or any of them, ſhall ſeem neceſſary, without being liable to incur the penalty in the above recited act mentioned, any thing therein contained to the contrary thereof in anywiſe notwithſtanding.

By September, 1770, ch. 10, the county clerks are directed to bring with them, on every office day, the four laſt courts dockets and papers next preceding every ſuch day of attendance, under the penalty of thirty ſhillings.

And attend at the court-houſes, &c.

III. AND BE IT FURTHER ENACTED, *by the authority aforeſaid*, That the ſeveral and reſpective county clerks within this province ſhall be and they are hereby obliged to attend at their ſeveral and reſpective county court-houſes one or more days in every week, to be appointed and publiſhed by the ſeveral county courts next after the commencement of this act, and to remain there, either by themſelves or deputy, from nine of the clock in the forenoon until ſunſet, and then and there give all poſſible diſpatch to the neceſſary buſineſs of ſuch perſon or perſons as ſhall apply to them for the ſame; and that every county clerk who ſhall neglect or delay to perform his duty herein, ſhall forfeit and pay the ſum of ſix hundred pounds of tobacco, one half whereof to the uſe of the county ſchool, and the other half to him, her or them, that ſhall ſue for the ſame, to be recovered before a juſtice or magiſtrate of the county where ſuch forfeiture ſhall happen, as in caſe of ſmall debts.

Proviſo.

IV. PROVIDED ALWAYS, AND BE IT ENACTED, That nothing in this act ſhall extend, or be conſtrued to extend, to prevent any clerk from being chargeable for any miſfeazance or neglect in his office, in the ſame manner as if this act had never been made.

Duration.

V. This act to continue for three years, and to the end of the next ſeſſion of aſſembly which ſhall happen after the end of the ſaid three years.

Farther continued by 1751, ch. 8, 1754, ch. 13, 1757, ch. 23, 1762, ch. 13, 1765, ch. 16, June, 1773, ch. 2, October, 1780, ch. 12, November, 1787, ch. 38, 1795, ch. 83; revived and continued till the end of the ſeſſion, (and all acts done while it confirmed,) 1798, ch. 10, and by 1798, ch. 71, enacted into a permanent law.

CHAP. VIII.

Paſſed 11th of June, 1748.

An ACT empowering the juſtices of Queen-Anne's county to levy on the taxable perſons of Christ Church pariſh, in the ſaid county, the ſum of thirty-ſeven thouſand one hundred pounds of tobacco for repairing and enlarging their pariſh church. Lib. BLC. fol. 440.

CHAP. IX.

An ACT relating to that part of King and Queen pariſh which lies in Charles county, and was lately ſevered by the death of the reverend Mr. John Donaldſon. Lib. BLC. fol. 441.

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CHAP. X.

Passed 11th of June, 1748.

CT to remedy ſome defects in an indenture of bargain and ſale made and executed by Charles roll, of Annapolis, ſurgeon, and John Bradford, of Prince-George's county, gentleman, of one part, and Daniel Carroll, of Marlborough, in Prince-George's county, merchant, of the r part. Lib. BLC. fol. 442. A Private Act.

CHAP. XI.

CT continuing an act, entitled, (a) An act for raiſing three-pence ſterling per hogſhead on all cco to be exported, for purchaſing arms and ammunition, and for an immediate ſupply of arms the defence of this province. Lib. BLC. fol. 444.

(a) 1747, ch. 19, hereby continued till the 29th September, 1749.

CHAP. XII.

CT granting a further time for ſurveying and laying out anew a town in Worceſter county, ed New-Port-town, and confirming the privileges granted by the former act to the ſaid town. . BLC. fol. 445.

B. The time limitted in the act of 1745, ch. 3, having elapſed before any thing could be done in purſuance thereof, the nt act inveſted certain commiſſioners with the ſame powers, &c. and confirms the privileges, &c. to the inhabitants, or rs of lots in the ſaid town, as was given by the former act, and limits the powers, &c. granted herein to the 1ſt 1749.

CHAP. XIII.

CT for dividing St. Paul's pariſh, in Queen-Anne's and Talbot counties, and for erecting a y pariſh thereout, by the name of St. John's pariſh. Lib. BLC. fol. 446.

B. By this act, 1. From the end of this preſent ſeſſion, all that part of St. Paul's pariſh in Queen-Anne's and Talbot ties, lying within the lines and bounds herein after mentioned, viz. Beginning at the head of the Three Bridges branch in n-Anne's county, and running from thence with a ſtreight line to a ſmall bridge in the road from Old-Wye-Mill to Tucka- bridge, near the north-eaſt corner of Ferdinando Callaghan's plantation, thence with the ſaid road to Tuckahoe bridge, e down the eaſt ſide of Tuckahoe creek, binding therewith, to Choptank river, and then binding therewith to the diviſion between St. Paul's and St. Luke's pariſhes, and then with the ſeveral lines and bounds of St. Paul's pariſh aforeſaid to the of the Three Bridges branch aforeſaid, ſhall be taken from St. Paul's pariſh aforeſaid, and erected into a new pariſh, by ame of St. John's pariſh, &c. 2. The inhabitants of the ſaid pariſh to have and enjoy all the benefits, privileges, powers, s the inhabitants of any other pariſh in this province now or hereafter may have, &c.

CHAP. XIV.

CT for taking off part of Prince-George's county, and adding it to Charles county. Lib. C. fol. 447.

B. By this act, 1. From and after the 10th December, 1748, the land, lying at preſent in Prince-George's county, and ined within the bounds following, viz. by a line drawn from Mattawoman run, in the road commonly called the Rolling , that leads from the late dwelling plantation of Mr. Edward Neale, through the lower part of Mr. Peter Dent's dwelling ation, until it ſtrikes Patowmack river at or near the bounded tree of a tract of land whereon John Beall, junior, now (ſtanding on the bank of the aforeſaid river, at the lower end of the aforeſaid Beall's plantation,) then with the river to mouth of Mattawoman creek, ſhall be and for ever hereafter deemed as a part of Charles county. 2. The inhabitants there- w or hereafter to be ſettled are hereby declared inhabitants of Charles county, &c.

CHAP. XV.

CT to divide Prince-George's county, and to erect a new one by the name of Frederick county. . BLC. fol. 448.

B. By this act, 1. From and after the 10th December, 1748, a new county is erected out of Prince-George's county, the ds whereof to be as followeth, viz. Beginning at the lower ſide of the mouth of Rock creek, and thence by a ſtreight line ng to the eaſt ſide of Seth Hyatt's plantation, to Patuxent river, the ſaid line to be run by the ſurveyor of Prince-George's y, and trees marked, &c. then with Patuxent river, to the lines of Baltimore county, and with the ſaid county to the ex- of the province; and all the land lying to the weſtward and ſouthward of the ſaid lines to be included within the new county ſaid, which ſhall be called Frederick county, and the inhabitants thereof to have and enjoy equal privileges with the other ties of this province, in ſending delegates to the aſſembly, having county courts, ſheriffs, juſtices, &c. and the court-houſe priſon to be built in or adjoining to Frederick-town. 2. Certain commiſſioners empowered to purchaſe three acres of land, eon to build a court-houſe and priſon for Frederick county aforeſaid, and cauſe the ſame to be ſurveyed and laid out, &c. the payment, &c. of the purchaſe money to the owner of the land, ſhall inveſt the juſtices of Frederick county, and their ſſors, with an eſtate in fee-ſimple, for the uſe of the county aforeſaid, for ever; the ſurvey and other proceedings of the commiſſioners to be returned under their hands and ſeals, and thoſe of the ſheriff and ſurveyor, to the next Prince-George's y court, there to be recorded among the land records of that county, &c. 3. Frederick county court ſhall begin and be upon the third Tueſday of the months of March, June, Auguſt and November, yearly, and the aſſizes therein to begin and eld upon the Mondays next after the aſſizes in Prince-George's county. 4. The aforeſaid three acres to be laid out in an ſquare, and ſtaked and well bounded; the court-houſe to be built in the centre of the ſquare, and the county priſon on the ſide of the ſame ſquare, within ten feet of the ſouthernmoſt outline of the three acres aforeſaid.

CHAP. XVI.

CT to enable the juſtices of Prince-George's county to ſecure three acres of land lying in King- orge's pariſh, in the ſaid county, whereon a brick chapel of eaſe is already built, for the uſe of pariſhioners. Lib. BLC. fol. 450.

B. The act of 1744, ch. 26, empowered the veſtry, &c. of the ſaid pariſh, to purchaſe three acres of land to build a chapel ſe, &c. thereon, in purſuance whereof, a chapel was built on a tract of land called Egerton's Manor, near Piſcataway; and

and doubts having arisen relating to the title of the land, &c. the present act, 1. Empowers the justices of Prince-G... county, to cause the said three acres to be laid out by the county surveyor, so as the said chapel may stand in the centre ... and to be securely butted and bounded, and to cause the same land to be valued by a jury according to its worth, before ... the chapel aforesaid, &c. the return of the jury, under their hands and seals, and the hand and seal of the sheriff, together ... the surveyor's certificate of survey, to be entered among the county records. 2. The vestry to pay the surveyor, sheriff, jur... and also to pay the owner of the land the value set thereon by the jury. 3. The said survey, valuation and recording, and ... ment for the land as aforesaid, shall vest an absolute estate therein, for the use of the parish, in the vestry, &c. and their ... sors, for ever. 4. The surveyor's certificate to be entered in the parish register book, and in case of fire, or accident to the co... ty records, a copy of the courses of the said three acres from the said register book shall be deemed the courses of the said ...

CHAP. XVII.

Passed 11th of June, 1748.

An ACT continuing an act, entitled, (a) An act for raising a duty of three halfpence sterling ... hogshead on all tobacco exported out of this province, for the use of the governor. Lib. BL... fol. 451.

(a) 1747, ch. 25, hereby continued to the 29th September, 1749.

CHAP. XVIII.

An ACT empowering the justices of Calvert county court to assess and levy on the taxable inha... tants of the said county a sum not exceeding one thousand pounds current money, and to empo... certain commissioners therein named to appropriate the same towards building, finishing and co... pleting a new county court-house for the said county. Lib. BLC. fol. 451.

CHAP. XIX.

* 1715, ch. 44.

An additional supplementary act to the act, entitled, * An act relati... to servants and slaves. Lib. BLC. fol. 453.

Preamble.

WHEREAS by an act of assembly of this province, made at a session of assembly begun and h... at the city of Annapolis the twenty-sixth day of April, *anno domini* one thousand seven h... dred and fifteen, entitled, An act relating to servants and slaves, it is enacted, that "any perso... persons whatsoever, that shall, after the publication of the said act, wittingly or willingly entert... any servant or slave unlawfully absenting him, her or themselves, from their master, mistress, d... or overseer, shall be fined five hundred pounds of tobacco for every night or twenty-four hours ... such person or persons shall give such entertainment:" And whereas it is represented to this gen... assembly, that many crafty and ill-disposed persons, knowing that they are not liable to the pay... of the said fine, unless they entertain such servant or slave one whole night, or twenty-four h... without intermission, do, by frequently entertaining the servants and slaves of the good people of ... province at dead times of night, for several hours together, entice them secretly to make away w... and embezzle, the goods of their masters or owners, by carrying them to such entertainments, ... to commit many grievous disorders and irregularities against the peace of his lordship, and his ... rule and government, and to the great damage and disquiet of many of his majesty's liege subj... within this province; for preventing which evils for the future,

Penalty on persons harbouring slaves, &c.

II. BE IT ENACTED, *by the right honourable the Lord Proprietary, by and with the advice and con... his lordship's Governor, and the Upper and Lower Houses of Assembly, and the authority of the same,* T... any person or persons, after the end of this session of assembly, shall wittingly or willingly entert... any servant or servants, slave or slaves, unlawfully absenting him, her or themselves from his, h... their master, owner or overseer, or permit or suffer them to be about their houses or plantat... during the space of one hour, or longer, such person or persons, so entertaining such servant or ... vants, slave or slaves, or permitting or suffering them to be about their houses or plantations, ... forfeit and pay at the rate of one hundred pounds of tobacco for every hour each servant or ... shall be by him, her or them, so entertained, or permitted or suffered to be about his, her or ... house or plantation as aforesaid, to be recovered in a summary way before a single magistrate, ... costs, if the penalty does not exceed six hundred pounds of tobacco, and if it does exceed six h... dred pounds of tobacco, then to be recovered by action of debt, bill of indictment, plaint or in... mation, in the county court where the offence shall be committed, wherein no essoin, protec... wager of law, or above one imparlance, shall be allowed, the one half whereof shall be applie... the use of the public school of the county wherein such forfeiture shall happen, and the other ha... the party grieved, provided he or she shall prosecute for the same within three months next after... offence committed, otherwise to the informer, or him or them who shall sue for the same, pro... such suit be commenced within twelve months after such offence committed.

In default of payment, offenders to be punished, &c.

III. AND BE IT FURTHER ENACTED, That if it shall appear to any magistrate before whom ... conviction for breach of this act shall be had, that the offender is unable to pay or give good sec... for the penalty aforesaid, it shall and may be lawful for such magistrate to punish such offender ... whi...

ng on the bare back with such number of stripes, not exceeding thirty-nine for any one offence, him shall seem meet, and to require security for the good behaviour of such offender for and the term of six months then next following. CHAP. XIX.

AND BE IT FURTHER ENACTED, That if any servant or slave shall wittingly or willingly harentertain any other servant or servants, slave or slaves, unlawfully absent from his, her or aster, owner or overseer, for and during the space of one hour, or longer, it shall and may be for any magistrate, and he is hereby required, upon complaint to him made, immediately to s warrant against such servant or slave so harbouring or entertaining as aforesaid, and upon tory proof of such harbouring or entertaining, to punish the offender or offenders, by whipping ch number of stripes on the bare back as to him shall seem proper, not exceeding thirty-nine one offence. Servants harbouring others to be punished, &c.

ND BE IT FURTHER ENACTED, That the several sheriffs of this province shall read this act on dnesday in each respective county court, in full court, having first given public notice of ading, by proclamation at the several ordinaries, or houses of entertainment, near to the ouse, on pain of forfeiting five hundred pounds of tobacco for every omission or neglect, to be ed and applied as aforesaid. Act to be read, &c.

This act to continue for three years, and to the end of the next session of assembly which ppen after the expiration of three years. Duration.

er continued by 1751, ch. 17, 1754, ch. 9, 1757, ch. 24, 1762, ch. 9, 1765, ch. 28, June, 1773, ch. 2, October, 1780, November, 1787, ch. 38, 1795, ch. 83, till 30th January, 1798; revived and continued till the end of the session by h. 10, and by 1798, ch. 71, enacted into a permanent law.

CHAP. XX.

itional and explanatory act to the act, entitled, * An act empowering the commissioners of ounty courts to levy and raise tobacco to defray the necessary charges of their counties and es. Lib. BLC. fol. 454. Passed 11th of June, 1748. * 1704, ch. 34.

nued by 1751, ch. 13, 1754, ch. 10, 1757, ch. 18, 1762, ch. 6, 1765, ch. 21, June, 1773, ch. 2, for seven years.

CHAP. XXI.

T enabling the commissioners of Charles-town, in Cæcil county, to build an inspection-house said town. Lib. BLC. fol. 455.

By this act, the commissioners of Charles-town were empowered to draw out of the loan-office a sum in bills of credit, eding sixty pounds, for the building an inspection-house only, on the public ground at Charles-town, and convenient to the the said commissioners of Charles-town to receive the rent appointed to be paid by the inspection law of 1747, and after the sum taken out of the loan-office as aforesaid, then the rents and profits arising from the inspection-house to be paid id commissioners, and be by them applied to the benefit of the public of the said town, and to no other use, &c.

CHAP. XXII.

T to enable the justices of Prince-George's county to raise fifty-four thousand pounds of to- for the repairing and finishing their court-house at Marlborough, and other purposes there- ntioned. Lib. BLC. fol. 457.

CHAP. XXIII.

T to enable Mrs. Sarah Hollyday, executrix of James Hollyday, Esquire, deceased, to pay oney therein mentioned. Lib. BLC. fol. 458. A Private Act.

CHAP. XXIV.

T for altering and establishing certain warehouses, and for other purposes therein mentioned. LC. fol. 458.

To be in force till the first December, 1753. Expired.

At a SESSION of ASSEMBLY begun and held at the CITY ANNAPOLIS, the 24th day of May, in the 34th year of t dominion of the right honourable CHARLES, abſolute Lord a Proprietary of the provinces of Maryland and Avalon, Lord Bar of Baltimore, &c. and ended the 24th day of June following, the 35th year of his lordſhip's dominion, *annoque domini* 17 the following laws were enacted.

SAMUEL OGLE, ESQUIRE, GOVERNOR.

CHAP. I.

Paſſed 24th of June, 1749. An ACT enlarging the time for receiving and paying the public and county levies, parochial cha clergy's allowances, attornies and officers fees, for this preſent year. Lib. BLC. fol. 465. pired.

CHAP. II.

An ACT for aſcertaining the allowance of petit jurors attending the provincial court, to limit with reſpect to witneſſes, and for ſettling their allowance as to itinerant charges. Lib. BLC 466.

To be in force three years, &c. Farther continued by 1752, ch. 11, and 1755, ch. 9. Expired 24th December, 175

CHAP. III.

An ACT repealing part of an act, entitled, (a) An act to encourage the deſtroying of w crows and ſquirrels. Lib. BLC. fol. 467.

(a) 1728, ch. 7. The preſent act to be in force three years, &c. Expired.

CHAP. IV.

An ACT to enable the juſtices of Baltimore county court for the time being to levy on the t inhabitants of the ſaid county a quantity of tobacco, for the uſes therein mentioned. Lib. fol. 468.

CHAP. V.

An ACT empowering the juſtices of Calvert county court to aſſeſs and levy on the taxable i tants of the ſaid county a ſum not exceeding one thouſand pounds current money, and to em certain commiſſioners therein named to appropriate the ſame towards building, finiſhing and pleting, a new county court-houſe for the ſaid county. Lib. BLC. fol. 468.

CHAP. VI.

An ACT empowering the juſtices of Baltimore county court to aſſeſs and levy a ſum of c money, and for other purpoſes therein mentioned. Lib. BLC. fol. 470.

N. B. By this act, 1. Certain perſons were empowered to ſell, in fee-ſimple, the glebe-land belonging to St. Paul's p Baltimore county, and to lay out the money ariſing from ſuch ſale in the purchaſe of ſo much land, in fee-ſimple, w more-town, as the ſaid money ſhould extend unto, and the deeds between the reſpective vendor, of the one part, and th veſtrymen and churchwardens of the ſaid pariſh, of the other part, to be ſo worded as to operate and veſt the ſaid laſt m land, in like manner, and to the like uſes, &c. as the aforeſaid glebe-land hath been. 2. The juſtices at November court to aſſeſs, &c. on the taxable inhabitants of the ſaid pariſh £. 250. to be paid by the ſheriff to the order of the perſons a pointed, who were by this act empowered to purchaſe, in fee, in the name of the rector, veſtrymen and churchwarden ſaid pariſh, one acre of land, at or near the houſe commonly called the Red Houſe, in Baltimore county, and thereon t chapel of eaſe to the aforeſaid pariſh, &c.

CHAP. VII.

An ACT to take off the allowance for killing wolves in Frederick county. Lib. BLC. fol. 47

To be in force for three years, &c. Expired.

CHAP. VIII.

An ACT for the ſpeedy and effectual publication of the laws of this province, and for the encou ment of Jonas Green, of the city of Annapolis, printer. Lib. BLC. fol. 472.

To be in force till 25th December, 1750. Continued by 1750, ch. 20, and 1752, ch. 12, and expired 25th December, 1

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CHAP. IX.

CT for the more effectual deſtroying ſquirrels and crows in the counties of Kent, Queen-e's and Talbot, and for deſtroying red foxes in the ſaid counties. Lib. BLC. fol. 474. Paſſed 24th of June, 1749.

act was to continue for three years, &c. Farther continued by 1752, ch. 5, 1755, ch. 13, 1758, ch. 10, and 1762, ch. three years, &c. Expired.

CHAP. X.

CT to empower the juſtices of Queen-Anne's county court to ſell the materials of the old pri- of that county, and the produce thereof to apply as therein directed. Lib. BLC. fol. 475.

CHAP. XI.

CT for the relief of perſons accuſed and acquitted, and of witneſſes againſt perſons accuſed. BLC. fol. 476.

To be in force three years, &c. Expired.

CHAP. XII.

ACT for taking off corporal puniſhment inflicted on females ving baſe-born children, and other purpoſes therein mentioned. b. BLC. fol. 477.

IT ENACTED, *by the right honourable the Lord Proprietary, by and with the advice and conſent of his dſhip's Governor, and the Upper and Lower Houſes of Aſſembly, and the authority of the ſame*, That d after the end of this preſent ſeſſion of aſſembly, every free woman who ſhall commit fornica- nd ſhall be thereof convict in any county court of this province, either by confeſſion or verdict, fined by the juſtices of the ſaid court in the ſum of thirty ſhillings current money of this pro- for her ſaid offence; and in caſe ſuch offender ſhall refuſe or neglect to diſcover to the ſaid upon oath, the perſon with whom ſhe committed ſuch offence, that then ſhe ſhall be fined by d court, in a ſummary way, the further ſum of thirty ſhillings like money, as a fine for ſuch over and above the aforeſaid fine for her own offence as aforeſaid, together with all charges profecution; and in caſe ſhe ſhall make ſuch diſcovery as aforeſaid, that then the ſaid county hall be and they are hereby authoriſed, directed and required, to proceed againſt ſuch perſon manner as in other criminal caſes, and if he ſhall be convict of ſuch offence, by confeſſion or then he ſhall, by the ſaid county court, be fined in the ſum of thirty ſhillings current money ſaid offence, together with all charges of ſuch proſecution. Any free woman convict of fornication ſhall be fined, &c.

AND BE IT FURTHER ENACTED, *by the authority, advice and conſent aforeſaid*, That in caſe a birth oceed from ſuch fornication, and ſuch woman ſhall refuſe or neglect to diſcover as aforeſaid, ſhall, over and above the fines aforeſaid, be ordered and adjudged by the county court to d ſecurity to keep the child ſo born from becoming any charge to ſuch county, or for want of curity, ſhe ſhall be and ſtand committed to the ſheriff's cuſtody; and in caſe ſuch diſcovery as d ſhall be made in manner aforeſaid, then the perſon with whom ſhe committed ſuch offence ver and above the fine aforeſaid, be ordered and adjudged by the county court to give good to keep the child ſo born from becoming any charge to ſuch county, and for want of ſuch , he ſhall be and ſtand committed to the ſheriff's cuſtody, and ſuch woman ſhall go thereof ged. In caſe of a birth to give ſecurity, &c.

AND BE IT FURTHER ENACTED, *by the authority, advice and conſent aforeſaid*, That if ſuch woman of fornication as aforeſaid will not diſcover as aforeſaid, and ſhall be unable or unwilling to fine and charges aforeſaid, or if upon ſuch diſcovery as aforeſaid ſuch perſon ſhall be unwil- unable to pay his fine and the charges as aforeſaid, then and in every ſuch caſe ſuch man or reſpectively, as the caſe ſhall happen, ſhall be obliged to give good ſecurity to the right ble the lord proprietary for the payment of ſuch fines and charges by a certain day, not leſs elve months from the time of taking ſuch ſecurity, and for default of ſuch ſecurity, to be and mmitted to the cuſtody of the ſheriff. If unable to pay, to ſtand committed.

AND BE IT FURTHER ENACTED, *by the authority, advice and conſent aforeſaid*, That every ſuch foreſaid ſhall be and is hereby declared and directed to be applied towards the defraying the harge of every ſuch county reſpectively. Application of fines.

ND, whereas by an act, entitled, An act for the puniſhing the offences of adultery and forni- it is enacted, " that it ſhall and may be lawful for the miniſter, veſtry and churchwardens of

CHAP. XII.

any pariſh where there is a miniſter, and for the veſtry and churchwardens where there is no minister before any admonition by them, or any of them, given in purſuance of the directions afore-mentioned, to give notice, or cauſe notice to be given, to any perſon or perſons by them, or the major part of them, ſuſpected of lewdneſs or incontinency, and being or reſiding within their reſpective parish to appear before them, or the major part of them, at ſuch time and place as they, or the major part of them, ſhall appoint, and on the appearance of ſuch perſon or perſons to acquaint them of the ſuſpicion that is had of them, and to hear what reaſonable excuſe ſuch perſons ſhall offer, why they ought not to be proceeded againſt according to law as fornicators or adulterers, as the caſe ſhall happen; and in caſe the perſon or perſons having ſuch notice given them ſhall not appear according to ſuch notice, on affidavit of ſuch notice given, or appearing do not excuſe or acquit themſelves of the grounds of ſuch ſuſpicion, in ſuch manner as ſuch miniſter, veſtry and churchwardens as aforeſaid ſhall approve, that then it ſhall and may be lawful for ſuch miniſter, veſtry and churchwardens, or the major part of them as aforeſaid, and they are hereby required, to admoniſh ſuch perſon or perſons, according to the directions afore-mentioned, which admonition, together with proof of the cohabitation of the parties ſo admoniſhed, or their frequenting the company of each other, contrary to and after ſuch admonition given, ſhall be ſufficient evidence in any court of this province to convict the perſons ſo cohabiting or frequenting each other's company after admonition given as aforeſaid of fornication or adultery, as the caſe ſhall happen, and ſubject them to the penalties afore-mentioned reſpectively;" AND BE IT ENACTED, That if any perſon or perſons do not appear according to

Perſons not appearing to ſtand convict.

notice, on affidavit of ſuch notice being given, it ſhall be taken for proof of a cohabitation of the parties to whom ſuch notice ſhall be given, of their lewdneſs or incontinency, and a confeſſion of their guilt, and ſhall be ſufficient evidence in any court in this province to convict the perſon or perſons ſo cohabiting or frequenting each other's company, in the ſame manner, to all intents and purpoſes, as if ſuch perſon or perſons did appear before the veſtry and churchwardens as aforeſaid, and were by them actually admoniſhed.

Part of an act repealed.

VI. AND BE IT FURTHER ENACTED, *by the authority, advice and conſent aforeſaid*, That ſo much of an act of aſſembly of this province, made at a ſeſſion of aſſembly begun and held at the city of Annapolis on the twenty-fixth day of April, in the year ſeventeen hundred and fifteen, entitled, An act for puniſhing the offences of adultery and fornication, as relates to corporal puniſhment for fornication be and is hereby repealed.

This act is repealed by 1785, ch. 47, as far as it reſpects the proceedings againſt perſons guilty of fornication.

CHAP. XIII.

Paſſed 24th of June, 1749.

An ACT for further altering and eſtabliſhing certain warehouſes, and for other purpoſes therein mentioned. Lib. BLC. fol. 479.

To continue in force during the inſpection law of 1747, ch. 1. Expired.

CHAP. XIV.

An ACT for the cutting off the entail of part of a tract of land, called Holland's Choice, lying in Anne-Arundel county, to enable Jacob Holland to ſell and convey the ſame in fee-ſimple, and entail other lands in lieu thereof. Lib. BLC. fol. 482. A Private Act.

CHAP. XV.

An ACT empowering certain perſons to vend and diſpoſe of lands in Somerſet county, which Woney M'Clemey died ſeized in fee, for the purpoſes therein mentioned. Lib. BLC. fol. A Private Act.

CHAP. XVI.

An ACT to continue ſuch actions now depending in the provincial court as by law ought to have been determined in May provincial court, one thouſand ſeven hundred and forty-nine. Lib. fol. 485.

SESSION of ASSEMBLY begun and held at the CITY of NNAPOLIS, the 8th day of May, in the 35th year of the dominion of the right honourable CHARLES, abſolute Lord and Proietary of the provinces of Maryland and Avalon, Lord Baron of ltimore, &c. and ended the 2d day of June, in the 36th year his lordſhip's dominion, *annoque domini* 1750, the following ws were enacted.

SAMUEL OGLE, ESQUIRE, GOVERNOR.

CHAP. I.

CT to prevent the exporting of traſh or bad tobacco. Lib. BLC. fol. 487. Paſſed 15th of May, 1750.

To be in force till the 1ſt December, 1753. Expired.

CHAP. II.

CT continuing an act, entitled, (a) An act to prevent the ill practices of ſheriffs in the colg and payment of the public and county levies. Lib. BLC. fol. 488.

(a) 1742, ch. 7, hereby continued three years, &c.

CHAP. III.

CT continuing an act, entitled, (b) An act for relieving the inhabitants of this province from aggrievances in the proſecution of ſuits at law, and for continuing the (c) ſupplementary act to. Lib. BLC. fol. 488.

(b) 1714, ch. 4. (c) 1728, ch. 4; both of which are hereby continued three years, &c.

CHAP. IV.

CT continuing an act, entitled, (d) An act for the advancement of juſtice. Lib. BLC. 489.

(d) 1742, ch. 4, hereby continued three years, &c.

CHAP. V.

ACT to remedy ſome evils relating to ſervants. Lib. BLC. 489.

T ENACTED, *by the right honourable the Lord Proprietary, by and with the advice and conſent of his ſhip's Governor, and the Upper and Lower Houſes of Aſſembly, and the authority of the ſame*, That d after the end of this ſeſſion of aſſembly, where any ſervant or ſervants now imported, or ereafter ſhall be imported into this province, ſhall by his, her or their evil doings or actions, ſuch offence or offences, where by the laws they ſubject him, her or themſelves to impriſonhat in ſuch caſe ſuch ſervant or ſervants ſhall, and he, ſhe or they, are hereby obliged to e maſter or maſters, miſtreſs or miſtreſſes of ſuch ſervant or ſervants, day for day, and no ch maſter or maſters, miſtreſs or miſtreſſes, ſhall loſe of his, her or their ſervice, by ſuch ment. Servants offending to ſerve, &c.

ND BE IT FURTHER ENACTED, That if by the evil doing or actions of ſuch ſervant or ſere, ſhe or they, ſhall be fined for the breach of the peace, or any law of this province, at any r the end of this ſeſſion, and that the maſter or maſters, miſtreſs or miſtreſſes of ſuch ſervant nts pay ſuch fine, ſuch ſervant or ſervants ſhall make ſatisfaction by ſervice, or otherwiſe, at ration of their firſt time of ſervitude, for ſuch fine or fines. And make ſatisfaction, &c.

ND BE IT LIKEWISE ENACTED, That the ſeveral and reſpective juſtices of the ſeveral and re- county courts within this province, where the caſe ſhall happen, ſhall and they are hereby nd directed to hear and determine any diſpute that may ariſe between the maſter or maſters, r miſtreſſes, and ſuch ſervant or ſervants, in relation to the caſes herein before mentioned, judge according to the directions of this act herein before mentioned. Juſtices to determine diſputes, &c.

IV. This

CHAP. V. Duration.

IV. This act to continue from and after the end of this preſent ſeſſion of aſſembly, for and during the term of three years, and unto the end of the next ſeſſion of aſſembly which ſhall happen after the expiration of the ſaid three years.

Farther continued by 1753, ch. 4, 1757, ch. 4, 1760, ch. 15, and 1763, ch. 9, for three years, &c. by November, 1766, ch. 5, for ſeven years, &c. by November, 1773, ch. 12, for ſeven years, &c. by May, 1781, ch. 29, for ſeven years, &c. by May, 1788, ch. 18, for ſeven years, &c. by 1795, ch. 83, to 30th January, 1798; revived and continued to the end of the ſeſſion (where not altered,) by 1798, ch. 10, and all acts done under it confirmed, and by 1798, ch. 71, enacted into a permanent law.

CHAP. VI.

Paſſed 2d of June, 1750.

An ACT to enable the juſtices of Kent county court for the time being to levy on the taxable inhabitants of the ſaid county a quantity of tobacco for the uſes therein mentioned. Lib. BLC. fol. 490.

CHAP. VII.

An ACT to enable the juſtices of Baltimore county court to aſſeſs and levy on the taxable inhabitants of St. George's pariſh in that county, a (a) ſum of money for the uſes therein mentioned. Lib. BLC. fol. 490.

(a) Viz. £. 1200 current money at four equal aſſeſſments, to be paid to the order of the rector, veſtry and churchwardens, by them be applied towards the purchaſe of three acres of land, and building a new church thereon, and the like quantity of land, and building a chapel of eaſe thereon, &c. Supplementary acts are 1757, ch. 18, and 1758, ch. 2.

CHAP. VIII.

An ACT empowering the juſtices of Charles county court to aſſeſs and levy a quantity of tobacco and for other purpoſes therein mentioned. Lib. BLC. fol. 491.

CHAP. IX.

An ACT empowering the juſtices of Prince-George's county to levy on the taxable inhabitants of Queen-Anne pariſh, in the ſaid county, fifty pounds current money, for the uſes therein mentioned. Lib. BLC. fol. 492.

CHAP. X.

An ACT continuing an act, entitled, (b) An for the gauge of barrels for pork, beef, pitch, turpentine, and tare of barrels for flour or bread. Lib. BLC. fol. 493.

(b) 1745, ch. 15, hereby continued three years, &c.

CHAP. XI.

An ACT for the further enlargement of Baltimore-town, in Baltimore county. Lib. BLC. fol. 493.

N. B. This act (purſuant to the petition of the inhabitants of the ſaid county,) empowered the commiſſioners of Baltimore-town to cauſe about 25 acres of land (on the north and eaſt ſides of that part of Baltimore-town, formerly called Jones's-) to be ſurveyed and laid out into lots and ſtreets, in ſuch manner as to them ſhould ſeem convenient, which being done, the ſame is hereby declared to be part of Baltimore-town aforeſaid, to all intents and purpoſes, as fully and amply as if included originally therein, and have the ſame immunities and privileges as the reſt of the ſaid town, by any former laws ought to have; and perſons building or improving on any of the ſaid lots as by former laws relating to the ſaid town is directed, and purchaſe the ſame from the proprietor (with whom they are left, by this act, to agree, otherwiſe to have no title therein,) ſhall have abſolute eſtate of inheritance in any lot or lots ſo purchaſed and built on.

CHAP. XII.

* 1742, ch. 23.

An additional ſupplementary act to the act, entitled, * An act laying out and erecting a town at a place called Long Point, on the weſt ſide of North-Eaſt river, in Cæcil county. Lib. BLC. fol. 494.

Preamble.

WHEREAS it is repreſented to this general aſſembly, by the commiſſioners for Charles-town in ſaid county, and by the humble petition of the inhabitants thereof, that many regulations are yet wanted that would much conduce to the convenience and advantage of the inhabitants, and further ſettlement of ſaid town; it is therefore humbly prayed it may be enacted,

An overſeer to be appointed, &c.

II. AND BE IT ENACTED, *by the right honourable the Lord Proprietary, by and with the advice and conſent of his lordſhip's Governor, and the Upper and Lower Houſes of Aſſembly, and the authority of the ſame*, That from and after the end of this ſeſſion of aſſembly, it ſhall and may be lawful for the commiſſioners for ſaid town for the time being, or the major part of them, to appoint yearly one of the inhabitants, to ſerve as an overſeer for ſaid town, and which overſeer, ſo appointed, ſhall be obliged to ſerve, on the penalty of thirty ſhillings current money; and the ſaid overſeer is hereby empowered, at ſuch times as he, or the ſaid commiſſioners, or the major part of them, ſhall appoint, to

all the male taxable inhabitants of said town, to be employed in clearing the streets, and other ground thereof, as the said commissioners or overseer shall direct, and to make bridges and ways in the said streets, where they may, by the said commissioners or overseer, be deemed ary; and that the said taxable inhabitants shall be obliged to attend the summons of the said er, and to work on the said streets and ground, or to send a labouring person in their stead, on enalty of five shillings current money for every such day's neglect or refusal, or in proportion h time or part of the day they shall neglect or refuse to attend and work as aforesaid, and that id taxables shall provide and bring necessary tools for the said work; also that a note or ad- ement put up by the said overseer at the market-house of said town, and at the public ware- five days before the day appointed for the meeting of the said taxables, shall be deemed suf- notice and summons to the inhabitants aforesaid.

And, whereas many persons have built, and are now building, in said town, and clear no ground than where their houses stand, whereby the rest of their lot becomes a thicket, unser- le for pasturage, also inconvenient and unwholesome to all the inhabitants; Be it further ed, *by the authority aforesaid*, That all persons living or inhabiting on any lot in said town within six months from and after the end of this present session of assembly, grub and clear the l of the said lot, or such part thereof as they occupy, or to them belong, from all underwood, and bushes, on the penalty of thirty shillings current money, to be forfeited and paid by the er of such house or lot, and in proportion to the owners or occupiers of half lots; and if the cupier or inhabitant be a tenant, it shall be lawful for him to discount the charge thereof from nt agreed to be paid for such house or lot, so as the same exceed not twenty shillings for one lot; and also, that any person hereafter building on any lot in said town so as to save the shall, within three months after the building thereon, grub and clear the said lot as aforesaid, penalty aforesaid, to be applied by the said commissioners in clearing the said lot, and the us, if any, in clearing the public squares of said town.

Inhabitants to grub and clear their lots, &c.

And, for the better preservation of the wood and timber standing or growing on the com- or a constant supply of firewood for the inhabitants, and the public uses of said town, Be o enacted, That no person or persons shall presume to bark any tree or trees within the of said common, nor to make or burn any coal or brick-kilns with the wood thereof, nor cut or hale any trees or logs for the erecting or building of private houses, or such like, on the of twenty shillings current money for each tree, so barked, or cut down as aforesaid; and d commissioners are hereby empowered to inquire into such, or other waste made of the said nd timber, and to make such rules and orders from time to time as may seem to them necessary ent the same.

Penalty for barking trees, &c.

And be it further enacted, That the commissioners aforesaid are hereby empowered to lease a marsh lying on the east part of the common aforesaid, or any part thereof, for any ot exceeding twenty-one years, to such person or persons as will undertake to dyke, drain, n the same into good meadow, on such rents and conditions as shall be agreed on with the mmissioners, the lessee giving sufficient security for the due performance thereof; the rents or arising therefrom to be paid to the said commissioners, to be applied to the public use of said

Marsh may be leased out.

This section was repealed by 1786, ch. 32, section 2.

And, whereas there is a public market-house erected in said town, where all sorts of provisi- supply of the inhabitants and others, were heretofore usually bought and sold in great plenty dnesdays and Saturdays, the market-days appointed by this act, but which said market begins es useful, by forestallers and hawkers from house to house, to the great inconvenience and ntment of the poorer sort of inhabitants, as well as the neighbourhood, who used to be sup- erefrom; Be it therefore enacted, That all sorts of flesh, and other provision usually to be sold for supply of the inhabitants and others aforesaid, shall be brought to, and sold at, lic market-place of said town, and that any person or persons forestalling, or buying on the y sort of provisions coming to the said market, within one mile of the same, shall forfeit and ble the value of the said provisions so forestalled or bought as aforesaid; and that any person ns hawking about any sort of provision from house to house on the said market-days, before lock of the said days, shall also forfeit double the value of the said provisions, on proof made before any justice of the peace for said county; and that it shall be lawful for the said com- s, and they are hereby empowered, to make such good rules and orders as may conduce to the lation of said market.

Provisions not to be forestalled, &c.

VII. And

CHAP. XII. Swine, &c. not to be raiſed.

VII. AND BE IT FURTHER ENACTED, That it ſhall not be lawful for any perſon or perſo keep or raiſe any ſwine, ſheep or geeſe, within the ſaid town, unleſs they be well encloſed in lot or pen, on penalty that the ſame may be taken up by order of the ſaid commiſſioners or ove aforeſaid, and applied to the uſe of the priſoners in ſaid county gaol.

Penalty for chimnies taking fire, &c.

VIII. AND, for preventing any accidents by fire, BE IT ALSO ENACTED, That any inhabit ſaid town, permitting his, her or their chimney to take fire, ſo as to blaze out at the top, ſhall f and pay the ſum of ten ſhillings current money for every ſuch offence; and any perſon living houſe in ſaid town, with a chimney, and in uſe, who ſhall not keep a ladder high enough to reac top of the roof of ſuch houſe, ſhall alſo forfeit and pay the like ſum of ten ſhillings like money.

Fines, &c. how to be recovered.

IX. AND BE IT FURTHER ENACTED, That all the fines and forfeitures in this act mentioned be recovered by and in the name of the commiſſioners aforeſaid, before a ſingle magiſtrate, as i caſe of ſmall debts, to be by them applied to the public uſe of ſaid town, and accounted for i ſame manner as is directed by former laws.

Acts continued.

X. AND BE IT FURTHER ENACTED, *by the authority aforeſaid*, That an act, entitled, A ſupplem ry act to the act, entitled, An act for laying out and erecting a town at a place called Long P on the weſt ſide of North-Eaſt river, in Cæcil county, made at a ſeſſion of aſſembly begun and at the city of Annapolis the firſt day of May, *anno domini* one thouſand ſeven hundred and forty- be and is hereby continued in full force.

Duration.

XI. This act to continue for three years from and after the end of this ſeſſion of aſſembly, unto the end of the next ſeſſion of aſſembly which ſhall happen after the expiration of the ſaid years.

Made perpetual by 1753, ch. 28.

CHAP. XIII.

Paſſed 2d of June, 1750.

An ACT to ſettle the diviſions between Frederick and Baltimore counties, and alſo between cheſter and Worceſter counties. Lib. BLC. fol. 496.

N. B. By this act, 1. That part of Frederick county which was formerly included in Prince-George's county, is hereby from Baltimore county, in manner following, viz. Beginning at a ſpring called Parr's Spring, and running from thence E. to a bounded white oak ſtanding on the weſt ſide of a waggon road, called John Digges's road, about a mile above called the Burnt-houſe Woods, and running thence up the ſaid road to a bounded white oak ſtanding on the eaſt ſide the the head of a draught of Sam's creek, thence N. 55 E. to a Spaniſh oak ſtanding on a ridge near William Roberts's, and ſite to the head of a branch called the Beaver-Dam, and running thence N. 20 E. to the temporary line between the pro Maryland and Pennſylvania, being near the head of a draught of Conewago, at a rocky hill called Rattle Snake Hill; ſaid lines are hereby eſtabliſhed as the boundaries between the ſaid counties, and all the lands on the ſouth-eaſt ſide of lines to be deemed to be in Baltimore county, &c and all the lands on the weſt-north-weſt ſides to be part of Frederick &c. 2. The branch running up to the widow Owens, late the wife of William Owens, and from thence up the ma between John Marriott's and Edward Burris's, ſhall be the diviſion between the two counties of Dorcheſter and Worceſter all the lands on the north ſide of the ſaid branch ſhall be deemed to be in Dorcheſter county, and all the lands to the ſou thereof to be deemed to be in Worceſter county.

CHAP. XIV.

An ACT to oblige owners, overſeers and managers of iron-works, to aſſiſt in repairing public Lib. BLC. fol. 497. Repealed by November, 1779, ch. 14.

CHAP. XV.

An ACT to empower the juſtices of Prince-George's county court for the time being to treat agree with an undertaker or undertakers to ſtop a breach now made from the north-weſt bran Patuxent river, in ſaid county, acroſs the main road in Queen-Anne-town in ſaid county, levy on the taxable inhabitants thereof a ſum of money for the purpoſes therein mentioned. BLC. fol. 497.

CHAP. XVI.

A Supplementary act to the act, entitled, An act to empower the juſtices of Queen-Anne's co court to ſell the materials of the old priſon of that county, and the produce thereof to app therein directed, Lib. BLC. fol. 498.

CHAP. XVII.

An ACT to enable the veſtrymen and churchwardens of King and Queen pariſh, in St. Mary's ty, for the time being, to ſell a certain tract of land therein mentioned, and to apply the pr money or tobacco ariſing by ſuch ſale towards the purchaſe of another piece of land, to be glebe, for the uſe of the incumbent of that pariſh, and his ſucceſſors. Lib. BLC. fol. 499.

CH

CHAP. XVIII.

CT for the relief of Philip Cazear, a languiſhing priſoner in Cæcil county gaol. Lib. BLC. 499. A Private Act. Paſſed 2d of June, 1750.

CHAP. XIX.

CT to enable the rector and veſtrymen of Great Choptank pariſh, in Dorcheſter county, to ſome land belonging to the ſaid pariſh, unimproved. Lib. BLC. fol. 500.

CHAP. XX.

CT continuing an act, entitled, (a) An act for the ſpeedy and effectual publication of the laws his province, and for the encouragement of Jonas Green, of the city of Annapolis, printer. BLC. fol. 501.

(a) 1749, ch. 8, hereby continued till 1ſt December, 1752.

CHAP. XXI.

CT to enable the juſtices of Frederick county to levy a ſum of money on the taxable inha- nts of All-Faith's pariſh, in the ſaid county, and for the building a chapel of eaſe in King and en pariſh, in St. Mary's county, and for other purpoſes therein mentioned. Lib. BLC. fol. 501.

CHAP. XXII.

CT to encourage the deſtroying of ſquirrels and crows in the ſeveral counties therein mention- Lib. BLC. fol. 503.

To continue in force for two years, &c. Expired.

CHAP. XXIII.

CT empowering the rector, veſtrymen and churchwardens of Queen Caroline pariſh, in Anne- ndel county, for the time being, to purchaſe one acre of land, and thereon to build a chapel aſe in the ſaid pariſh, and to empower the juſtices of the ſaid county to levy on the taxable in- tants of the ſaid pariſh the ſum of twelve-pence current money yearly, by three annual aſſeſſ- ts, for the uſes therein mentioned. Lib. BLC. fol. 504.

CHAP. XXIV.

CT to enable George Catto, of Cæcil county, gentleman, and Araminta his wife, executrix William Alexander, late of the county aforeſaid, gentleman, her former huſband, deceaſed, to lands. Lib. BLC. fol. 505. A Private Act.

CHAP. XXV.

plementary act to the act, entitled, * An act aſcertaining the height of fences, to prevent the occaſioned by the multitude of horſes, and reſtraining horſe-rangers within this province, and edreſs the great evil accruing to this province by the multiplicity of uſeleſs horſes, mares and s, that run in the woods. Lib. BLC. fol. 507. * 1715, ch. 31.

continue for three years, &c. Farther continued by 1753, ch. 7, 1757, ch. 5, 1760, ch. 13, 1763, ch. 11, for three years vember, 1766, ch. 6; expired 1769. Revived and continued by March, 1778, ch. 6, for ſeven years, when it expired.

ſupplementary act to the original act paſſed 1769, ch. 18.

CHAP. XXVI.

ACT for the ſale of certain lands and houſes belonging to the ee-ſchool in the city of Annapolis, called King William ſchool. ib. BLC. fol. 508.

HEREAS the rector and viſitors of the free-ſchool in the city of Annapolis, called King Wil- liam ſchool, are ſeized in their incorporated and political capacity of a parcel of land in Dor- r county, called Surveyor's Foreſt, containing ſix hundred and fifty acres, deviſed to them in y the laſt will and teſtament of Thomas Smithſon, late of Talbot county, Eſquire, deceaſed, land brings in no annual profit, but on the contrary the quit-rent of it ariſing due to the lord etary is an annual charge; and that the ſaid rector and viſitors are likewiſe ſeized of ſeveral and lots in Annapolis, which houſes and lots are upon leaſes, rendering ſome ſmall rent, yet ent is not equal to the intereſt of the money which the rectors and viſitors hope the ſaid lots ouſes might ſell for: And whereas the chief ſupport of the ſaid ſchool at preſent is the intereſt m of money bequeathed by the honourable Benedict Leonard Calvert, Eſquire, late governor aryland, deceaſed, for ſupporting the ſame; and that the ſaid rector and viſitors conceive it be advantageous to the ſaid ſchool to ſell and diſpoſe of the ſaid land, houſes and lots, and to the money ariſing by ſuch ſale, or the intereſt thereof, to ſupport the ſame ſchool; Preamble.

CHAP. XXVI. Rector, &c. may diſpoſe of lands, &c.

II. BE IT THEREFORE ENACTED, *by the right honourable the Lord Proprietary, by and with the* [illegible] *and conſent of his lordſhip's Governor, and the Upper and Lower Houſes of Aſſembly, and the authority of* [illegible] *ſame*, That it ſhall and may be lawful to and for the ſaid rector and viſitors, or the major part of them, to ſell and diſpoſe of the ſaid lands, lots and houſes, or any of them, in ſuch manner as they judge moſt advantageous to the ſaid ſchool; and that the deed or deeds, aſſurance or aſſurances in law, ſhall be made under the ſeal of the corporation of the ſaid rector and viſitors, and ſigned by the ſaid rector, and recorded in the provincial court records, and ſhall be adjudged and deemed to convey to the purchaſer or purchaſers ſuch eſtate or eſtates, in fee-ſimple or otherways, as ſhall be contained in the ſaid deed or deeds; provided nevertheleſs, that this act, or any thing herein contained or the ſale or ſales of the ſaid lots and houſes, to be made by virtue hereof, ſhall not extend or be conſtrued to extend to prejudice or affect any right or title, either in law or equity, which the preſent leſſee or leſſees may have or claim in or to the ſaid lots or houſes, but that ſuch right or claim is hereby ſaved, notwithſtanding this act, or any thing herein contained.

And lay out the money, &c.

III. AND BE IT FURTHER ENACTED, *by the authority, advice and conſent aforeſaid*, That the rector and viſitors of the ſaid King William's ſchool ſhall, and they are hereby obliged and directed to lay out the money ariſing by the ſale of the ſaid land, called Surveyor's Foreſt, and the ſaid lots and houſes in the city of Annapolis, at intereſt, on good ſecurity, for the uſe of the ſaid free-ſchool, ſo that the annual intereſt ariſing therefrom ſhall be applied towards the payment of a maſter, [illegible] or uſher, of the ſaid ſchool, and to no other uſe or purpoſe whatever, ſaving to his moſt ſacred majeſty, and his ſucceſſors, the right honourable the lord proprietary, his heirs and ſucceſſors, and to all others not mentioned in this act, their ſeveral and reſpective rights.

CHAP. XXVII.

Paſſed 2d of June, 1750.

AN ACT to empower James Sterling, rector of St. Paul's pariſh, in Kent county, to convey [illegible] tracts of land, the one called Huddle's Right, the other called Ruſhmore, lying in Kent county aforeſaid. Lib. BLC. fol. 509. A Private Act.

CHAP. XXVIII.

* 1747, ch. 1.

A Supplementary act to the act, entitled, * An act for amending the ſtaple of tobacco, for preventing frauds in his majeſty's cuſtoms, and for the limitation of officers fees. Lib. BLC. fol. [illegible]

The preſent act to continue in force till the 1ſt December, 1753. Expired.

1751. At a SESSION of ASSEMBLY begun and held at the City of ANNAPOLIS, the 15th day of May, in the 37th year of the dominion of the right honourable CHARLES, abſolute Lord and Proprietary of the provinces of Maryland and Avalon, Lord Baron of Baltimore, &c. *annoque domini* 1751, and ended the 8th day of June, the following laws were enacted.

SAMUEL OGLE, ESQUIRE, GOVERNOR.

CHAP. I.

Paſſed 28th of May, 1751.

AN ACT to prevent the ſale of traſhy tobaccoes. Lib. BLC. fol. 523.

To continue in force till the 1ſt December, 1753, and by the inſpection law of 1753, ch. 22, was to continue in force by that act, which expired the 1ſt December, 1763.

CHAP. II.

Paſſed 8th of June, 1751.

AN ACT continuing an act, entitled, (a) An act for the more effectual puniſhment of certain offenders, and for taking from them the benefit of clergy. Lib. BLC. fol. 527.

(a) 1737, ch. 2, hereby continued three years, &c. Expired.

CHAP. III.

T for deſtroying wolves in Frederick county. Lib. BLC. fol. 257. Paſſed 8th of June, 1751.

ontinue for three years, and to the end of the next ſeſſion of aſſembly after. Continued farther by 1754, ch. 11, for three 1757, ch. 20, for three years, 1762, ch. 8, for three years, 1765, ch. 26, for ſeven years, June, 1773, ch. 2, for ſeven when it expired.

CHAP. IV.

T continuing an act, entitled, (a) An act for puniſhment of horſe-ſtealers, and other offend- Lib. BLC. fol. 528.

(a) 1744, ch. 20, hereby continued for three years, &c. Expired.

CHAP. V.

ACT to annex certain extra parochial lands, lying between Naſ- ongo creek and Accongo branch, in Worceſter county, to the riſh of All-Hallows. Lib. BLC. fol. 529.

HEREAS by the humble petition of ſundry inhabitants of that part of a place called the In- dian-town, in the county of Worceſter, which lies between Naſſaongo creek and Accongo , it is repreſented to this general aſſembly, that all that tract or parcel of land lying and being Indian-town aforeſaid, between Naſſaongo creek and Accongo branch aforeſaid, is not at pre- thin the bounds or limits of any pariſh, and that the pariſh church of All-Hallows is the moſt ient place for the inhabitants aforeſaid to attend divine worſhip, and pray that the extra pa- lands aforeſaid may be annexed to the aforeſaid pariſh of All-Hallows; and this general aſ- having taken the premiſes into conſideration, and thought the ſame reaſonable, it is humbly that it may be enacted, Preamble.

AND BE IT ENACTED, *by the right honourable the Lord Proprietary, by and with the advice and con- his lordſhip's Governor, and the Upper and Lower Houſes of Aſſembly, and the authority of the ſame,* ll that tract or parcel of extra parochial land, ſituate, lying and being in the place commonly and known by the name of the Indian-town, between the creek called Naſſaongo creek and go branch, in Worceſter county aforeſaid, after the end of this preſent ſeſſion of aſſembly, ſhall l it is hereby annexed unto All-Hallows pariſh in the county aforeſaid; AND IT IS ALSO Y ENACTED, That all the lands contained between the limits aforeſaid, ſhall, after the time id, be deemed, reputed, adjudged and taken, as part and parcel of the ſaid pariſh of All-Hal- nd no other. Lands annexed, &c.

AND BE IT FURTHER ENACTED, *by the authority, advice and conſent aforeſaid,* That the inhabi- who now reſide, or who may hereafter reſide, between Naſſaongo creek and Accongo branch id, ſhall have and enjoy all ſuch benefits, privileges, powers and authorities, in every reſpect, r the inhabitants of the ſaid pariſh of All-Hallows now have, or hereafter may have or enjoy, , uſage or cuſtom to the contrary in anywiſe notwithſtanding. Inhabitants to enjoy benefits, &c.

CHAP. VI.

CT to enable the veſtrymen and churchwardens of Durham pariſh, in Charles county, for the being, to ſell two tracts of land therein mentioned, and to apply the produce money or tobac- riſing by ſuch ſale towards the purchaſe of another piece of land, to be made a glebe for the f the incumbent of that pariſh, and his ſucceſſors. Lib. BLC. fol. 529.

B. By this act, the veſtry, &c. were empowered to ſell two tracts of land, viz: Randall's Addition, containing 200 acres, ooknorton, containing 150 acres, and to apply the money or tobacco ariſing from ſuch ſale towards the purchaſe of another f land in the ſame pariſh, to be made over to the ſaid veſtrymen, &c. in truſt, and for the uſe and benefit of the incumi- f the ſaid pariſh, and his ſucceſſors for ever.

CHAP. VII.

ACT continuing an act, entitled, * An act to prevent cutting o tobacco plants, deſtroying of tobacco and tobacco-houſes, and r aſcertaining the puniſhment of criminals guilty of the ſaid ences. Lib. BLC. fol. 530.

* 1744, ch. 5.

HEREAS a temporary law, made at a ſeſſion of aſſembly begun and held at the city of Anna- polis the firſt day of May, *anno domini* one thouſand ſeven hundred forty and four, entitled, to prevent cutting up tobacco plants, deſtroying of tobacco and tobacco-houſes, and for aſ- Preamble.

CHAP. VII. certaining the punishment of criminals guilty of the said offences, by experience has been found ful and beneficial, is near expiring; therefore for continuing the same,

Act made perpetual. II. BE IT ENACTED, *by the right honourable the Lord Proprietary, by and with the advice and* *his lordship's Governor, and the Upper and Lower Houses of Assembly, and the authority of the same,* the said recited act, and every article, clause and thing therein contained, shall be in full force is hereby made perpetual.

CHAP. VIII.

Passed 8th of June, 1751. An ACT continuing an act, entitled, (a) An act to enable the several and respective county within this province to remove some of the county records and papers from the public Lib. BLC. fol. 531.

(a) 1748, ch. 7, hereby continued three years, &c.

CHAP. IX.

An ACT to enable the justices of Charles county to assess and levy on the taxable inhabit that part of the late reverend Mr. Donaldson's parish which lies in the said county fifty-five sand pounds of tobacco, and for other purposes therein mentioned. Lib. BLC. fol. 531.

CHAP. X.

An ACT continuing an act, entitled, (b) A supplementary act to an act, entitled, An act an imposition on negroes, and several sorts of liquors imported, and also on Irish servants, to vent the importing too great a number of Irish papists into this province. Lib. BLC. fol.

(b) 1735, ch. 6, hereby continued three years, &c.

CHAP. XI.

An ACT to make the testimony of convicted persons legal a convicted persons. Lib. BLC. fol. 534.

Preamble. WHEREAS murders, burglaries, and other felonies and offences, have been so frequent that the lives and properties of his majesty's subjects within this province are become rious, which offences have been generally committed by the convicts imported into this pro and such as they seduce to join with them in their wicked practices, and which crimes the victs are encouraged to perpetrate, because they know that they are disabled from being against each other, as the law now stands; for remedy whereof,

Testimony of convicts allowed, &c. II. BE IT ENACTED, *by the right honourable the Lord Proprietary, by and with the advice and* *his lordship's Governor, and the Upper and Lower Houses of Assembly, and the authority of the same,* all criminal prosecutions which shall happen or be, after the end of this present session, against convict or convicts imported into this province as such, or their confederates or accomplices, such convicts imported, the testimony or evidence, upon oath, of any other convict or convicts ported as such, or of any of the confederates or accomplices, being convicts, in the same crime mitted within this province, shall be received and allowed as if he, she or they was or were der any conviction or disability, such conviction or disability notwithstanding.

Proviso. III. PROVIDED ALWAYS, That any convict imported as such, who shall be sworn as a wit any such case, and who shall swear falsely, and shall be thereof convicted by due course of law suffer as a person convict of wilful and corrupt perjury.

Duration. IV. This act to continue for three years, and unto the end of the next session of assembly shall happen after the end of the said three years.

This act is farther continued by 1754, ch. 15, 1757, ch. 29, 1762, ch. 11, 1765, ch. 19, June, 1773, ch. 2, 1 November, 1787, ch. 30, 1795, ch. 83, till 30th January, 1798; revived and continued till the end of the session, (done under it confirmed,) 1798, ch. 10; continued till 30th October, 1805, &c. by 1798, ch. 71.

CHAP. XII.

An ACT to enable the justices of Charles county to levy a sum of tobacco on the taxable inh of Port-Tobacco parish, in the said county, for the purposes therein mentioned. Lib. BL 534.

CHAP. XIII.

An ACT continuing an act, entitled, (c) An additional and explanatory act to the act, entitl act empowering the commissioners of the county courts to levy and raise tobacco to defray cessary charges of their counties and parishes. Lib. BLC. fol. 535.

(c) 1748, ch. 20, hereby continued three years, &c.

CHAP. XIV.

ACT for the more effectual puniſhment of negroes and other ſlaves, and for taking away the benefit of clergy from certain offenders, and a ſupplementary act to an act, entitled, * An act to prevent the tumultuous meeting and other irregularities of negroes and other ſlaves, and directing the manner of trying ſlaves. Lib. BLC. fol. 536.

Paſſed 8th of June, 1751.

* 1723, ch. 15.

A Supplementary and explanatory act in 1753, ch. 26.

Preamble.

WHEREAS the laws in force for the puniſhment of ſlaves are found inſufficient to prevent their committing very great crimes and diſorders, and that a further proviſion is neceſſary to keep in proper bounds and due order, and for a more ſpeedy method to bring them to juſtice than is ſcribed by the laws heretofore made;

Puniſhment of ſlaves, &c.

BE IT THEREFORE ENACTED, *by the right honourable the Lord Proprietary, by and with the advice conſent of his lordſhip's Governor, and the Upper and Lower Houſes of Aſſembly, and the authority of the* That if any ſlave or ſlaves ſhall at any time conſult, adviſe, conſpire or attempt to raiſe any ſurrection within this province, or to murder or poiſon any perſon or perſons whatſoever, or to mit a rape upon any white woman, or to burn any houſe or houſes, and be thereof convict by confeſſion or verdict, or who ſhall of malice ſtand mute, or peremptorily challenge above the number twenty jurors, ſhall ſuffer death, as in caſes of felony, without benefit of clergy.

For attempting to burn houſes, &c.

AND BE IT FURTHER ENACTED, That any ſlave who ſhall attempt to burn any dwelling-houſe, ſtore-houſe contiguous to, or uſed with, any dwelling-houſe, or any other houſe wherein there ſhall any perſon or perſons, or any goods, merchandiſes, tobacco, Indian corn or other grain or fodder, ſhall be thereof convict as aforeſaid, ſhall ſuffer death as a felon, without benefit of clergy.

For committing felonies, &c.

AND BE IT FURTHER ENACTED, That every ſlave committing any of the felonies herein before mentioned, or any other offence which may by law ſubject ſuch ſlave to the pains of death, ſhall be committed to the ſheriff of the county where the offence ſhall be committed, and that at the next court, or county court, which ſhall firſt happen, to be held for the county where the offence ſhall be committed, the juſtices of aſſize, or either of them, or county court, which ſhall firſt happen, ſhall have, by virtue of this act, try every ſuch offender or offenders according to law, and upon the confeſſion of the offender or offenders, upon his, her or their voluntary confeſſion, or the verdict of men, upon the teſtimony of one or more legal or credible witneſs or witneſſes, or even the teſtimony of the evidence of other ſlaves, corroborated with ſuch pregnant circumſtances as ſhall convince and ſatisfy the jury who ſhall try the fact of the guilt of ſuch ſlave or ſlaves, to give judgment according to the nature and quality of the offence.

For giving falſe teſtimony.

AND BE IT FURTHER ENACTED, That any ſlave or ſlaves who ſhall give any falſe teſtimony againſt any ſlave or ſlaves who ſhall be proſecuted as aforeſaid, and ſhall be thereof legally convict, ſhall have one ear cut off on the day of his or her conviction, and receive thirty-nine ſtripes on the bare back, and that the other ear ſhall be cropped the next day, and the like number of ſtripes given the offender on his or her bare back.

Witneſſes to be admoniſhed.

AND, to the end that ſuch ſlave or ſlaves as ſhall be produced as a witneſs or witneſſes againſt any ſlave or ſlaves may be deterred from giving falſe teſtimony, BE IT ENACTED, That the juſtices of aſſize, or either of them, then ſitting, or the juſtice of the county court who ſhall preſide, ſhall adminiſh and charge ſuch witneſs or witneſſes to declare the truth, the whole truth, and nothing but the truth, and acquaint him, her or them, with the danger and conſequence of giving falſe teſtimony.

Slave to be valued, &c.

III. AND BE IT FURTHER ENACTED, That when any ſlave ſhall be condemned to ſuffer death, ſuch ſlave ſhall be valued by the juſtices of aſſize, or either of them, then preſent, or county court, according to the beſt of their knowledge, which ſaid whole value ſhall be paid by the treaſurer of the reſpective ſhore on which ſuch execution ſhall be, on the certificate of ſuch ſheriff, out of the public ſtock of this province in the hands of ſuch treaſurer, without fee or reward, to the maſter or owner of ſuch ſlave, in caſe the ſaid ſlave be actually executed.

And puniſhed for rambling.

IV. AND BE IT FURTHER ENACTED, That where any ſlave ſhall be guilty of rambling, riding, or going abroad in the night, or riding horſes in the day-time without leave, or running away, it ſhall

CHAP. XIV.

shall and may be lawful for the justices of the county court, and they are hereby obliged, upon application or complaint of the master or owner of such slave, or to his, her or their order, or the application or complaint of any other person who shall be any ways damnified or injured by such slave, immediately such slave to punish by whipping, cropping, or branding in the cheek with the letter R, or otherwise, not extending to life or to render such slave unfit for labour.

Person killing any slave indemnified, &c.

IX. AND BE IT LIKEWISE ENACTED, That if any slave shall happen to be slain for refusing to render him or herself, contrary to law, or in unlawful resisting any officer, or other person, who shall apprehend or endeavour to apprehend such slave or slaves, and such officer, or other person, so killing such slave as aforesaid making resistance, shall be, and he is by this act, indemnified from any (a) prosecution for such killing aforesaid; and that in every such case such slave or slaves shall be valued by two reputable persons, not being of kin to the master or owner of such slave, upon oath to be administered unto them, and to be appointed by the then nearest magistrate, "well and truly to value what such slave was worth, to the best of their knowledge, without favour or partiality," and that the whole value of such slave or slaves shall be certified by such persons to such magistrate, and that the same shall be paid to the owner or owners of such slave or slaves, or to his, her or their order, by the treasurer of the respective shore of this province on which the same death happened, upon a certificate from the said magistrate of the death and value of such slave or slaves, out of the public money of this province in the hands of such treasurer, without fee or reward.

(a) By 1753, ch. 26, the persons so killing shall not hereby be exempted from undergoing a legal trial, but if it appear in evidence, that such killing was done in the lawful execution of this act, then such person shall not only be acquitted, but the public of this province shall pay all the costs and charges of such prosecution.

Penalty for enticing slaves to run away, &c.

X. AND BE IT FURTHER ENACTED, That if any free person shall entice and persuade any slave within this province to run away, and who shall actually run away from the master, owner or overseer, and be convicted thereof, by confession, or verdict of a jury upon an indictment or information, shall forfeit and pay the full value of such slave to the master or owner of such slave, to be levied by execution on the goods, chattels, lands or tenements of the offender, and in case of inability to pay the same, shall suffer one year's imprisonment without bail or mainprise; and that if any white servant shall entice or persuade any such slave to run away, and who shall actually run away, that such offender shall, after the expiration of his time of servitude, become a servant to the master or owner of such slave for and during the term of four years, or satisfy and pay to the master or owner the value of such slave, to be adjudged, in either case, at the trial, by the court before whom the offence shall be tried, and that the fact may be tried either in the county where the offences shall be committed, or where the offender or offenders shall be taken or apprehended.

Act to be read, &c.

XI. AND, to the end this act may be known by all sort of people, BE IT ENACTED, *by the authority aforesaid*, That the several sheriffs within this province shall read, or cause this act to be read, at the court-house door, on the second day of each of the four county courts in every year, during the continuance of this act, on pain of forfeiting five pounds current money for every neglect, to be recovered as aforesaid, with costs of suit, by indictment or information, in the court of the county where such neglect shall happen, and be applied to defray the county charge.

Proviso.

XII. PROVIDED ALWAYS, That where any money shall be paid by virtue of any act or acts of this province for any slave or slaves who shall die in gaol after sentence, or shall be executed, IT IS HEREBY DECLARED AND ENACTED, That such payment shall be made for such slave or slaves who were actual inhabitants within this province at the time such fact committed, and not otherwise.

Duration.

XIII. This act to continue for three years, and unto the end of the next session of assembly which shall happen after the end of the said three years.

Farther continued by 1754, ch. 19, 1757, ch. 27, 1762, ch. 10, 1765, ch. 17, June, 1773, ch. 2, October, 1780, ch. 2, November, 1787, ch. 38, 1795, ch. 83, till 30th January, 1798; revived and continued, (where not altered,) to the end of the session, (and all acts under it confirmed,) 1798, ch. 10, and by 1798, ch. 71, enacted into a permanent law.

CHAP. XV.

Passed 8th of June, 1751.

An ACT to establish the special court records of Anne-Arundel county. Lib. BLC. fol. 538.

See 1705, ch. 1, 1719, ch. 16, and 1723, ch. 20.

Preamble.

WHEREAS by one act of assembly of this province, entitled, An act for the relief of Anne-Arundel county, and all persons concerned in the records thereof lately burnt, made at a session of assembly begun and held at the town and port of Annapolis the fifteenth day of May,

one thouſand ſeven hundred and five, a commiſſion iſſued to ſeveral commiſſioners therein named, CHAP. XV.
r and determine all differences, claims and demands whatſoever, between any the inhabitants
er perſons intereſted in the lands lying within the county aforeſaid, and that the judgments and
inations which ſhould be by them made between party and party, by authority of the ſame
ould be recorded in a fair book or books to be provided for that purpoſe, and every ſuch judge-
nd determination ſhould be ſigned by three or more of the ſaid commiſſioners; which book or
when perfected, were by the ſaid act directed to be placed and intruſted with the clerk of
Arundel county, among the records of the ſaid county, that all perſons concerned might re-
view the ſame: And whereas it appears to this general aſſembly, that there are in the office
clerk of Anne-Arundel county, among the records of the ſame county, five books of the pro-
gs and judgments of the ſaid commiſſioners, containing deeds, and other matters relating to
l eſtates and intereſt, as well of many of the inhabitants of the ſame county as of divers other
s, and which books appear to be fair and clear in the reſpective entries, and have for forty
laſt paſt, and upwards, been taken and deemed as authentic records within this province; and
her appears to this general aſſembly, that the meetings of the ſaid commiſſioners were regular-
ered in the ſaid records, and the names of the commiſſioners at all ſuch meetings entered by
erk of the ſame court, but that, agreeable to the letter of the ſaid act, three or more of the
ommiſſioners have not ſigned the reſpective judgments in the books aforeſaid; in order there-
o remove any doubts which may hereafter ariſe, concerning the validity of the proceedings in
d books of record contained, and the better to eſtabliſh the ſame, it is humbly prayed that it
e enacted,

AND BE IT ENACTED, *by the right honourable the Lord Proprietary, by and with the advice and con-* Records confirmed.
his lordſhip's Governor, and the Upper and Lower Houſes of Aſſembly, and the authority of the ſame,
the ſaid five books of records of the commiſſioners, appointed by commiſſion in virtue of the ſaid
ntitled, An act for the relief of Anne-Arundel county, and all perſons concerned in the records
f lately burnt, and the ſeveral judgments, deeds and proceedings in them entered, ſhall be held,
d, adjudged, conſtrued and taken, as good and effectual in law, as records, to all intents, con-
ons and purpoſes, as if the ſame judgments, and every of them, had been ſigned by three or
of the ſaid commiſſioners ſo appointed as aforeſaid, or the notice directed by the ſaid recited
d been given, ſuch omiſſion, or any law, uſage or cuſtom, to the contrary thereof in anywiſe
thſtanding.

CHAP. XVI.

ACT to aid the title of purchaſers of lots in Princeſs-Anne-own, in Somerſet county. Lib. BLC. fol. 539.

Paſſed 8th of June, 1751.

A Supplementary act 1753, ch. 33.

HEREAS there hath been heretofore, in purſuance of an act of aſſembly, twenty-five acres Preamble.
of land, then ſuppoſed to be the right of one David Brown, ſituate in Somerſet county, laid
to thirty lots, excluſive of the public ground, and erected into a town, called by the name of Prin-
nne-town, many of which lots have been ſince taken up, and well improved, and others ſecured
h not yet built on, and the court-houſe, priſon, and one of the inſpection-houſes for the ſaid
, placed on the ſaid public ground in the ſaid town: And whereas ſome doubt hath ariſen
rning the title of the ſaid lots, which are ſuppoſed to be eſcheat unto the right honourable the
roprietary; for aiding whereof it is prayed that it may be enacted,

AND BE IT ENACTED, *by the right honourable the Lord Proprietary, by and with the advice and conſent* Eſtate in certain lots veſted, &c.
lordſhip's Governor, and the Upper and Lower Houſes of Aſſembly, and the authority of the ſame, That
any perſon or perſons have taken up or purchaſed, or that ſhall hereafter take up or purchaſe,
t or lots, part or parcel of a lot or lots, in the ſaid town, and that ſhall pay, or cauſe to be
for the uſe of the ſaid lord proprietary, the ſum of twenty ſhillings ſterling money, in ſilver or
for every ſuch lot, and ſo in proportion for a leſs part of a lot, to the clerk of the ſaid county
e time being, who is hereby directed and empowered to receive, and he is hereby required to
it the ſame to the agent of the ſaid lord proprietary for the time being, and to give the party
ties paying the ſaid money a receipt for the ſame, and to enrol the ſaid receipt amongſt the re-
of the county court, for which ſervices the clerk ſhall take and receive of the owner or owners
f the ſum of two ſhillings and ſix-pence current money, and no more; which ſterling money
paid as aforeſaid, for the uſe of the ſaid lord proprietary in manner aforeſaid, and the receipt
eipts enrolled as aforeſaid, ſhall inveſt the owner or owners of ſuch lot or lots, or part of a lot,
pure, abſolute and indefeaſible eſtate of inheritance in fee-ſimple, of, in and to ſuch lot or lots,
t of a lot, with the appertenances, ſo taken up and purchaſed as aforeſaid.

III. AND

CHAP. XVI.

Public ground inveſted.

III. And be it likewiſe enacted, That the juſtices of the ſaid county, paying for the ſ the ſaid lord proprietary the ſum of twenty ſhillings ſterling money in manner aforeſaid, for the lic ground aforeſaid, and the clerk of the ſaid county giving a receipt, and enrolling the ſame manner, ſhall inveſt the juſtices aforeſaid, for the uſe of their county for ever, with a pure, abſ and indefeaſible eſtate of inheritance, in fee-ſimple, of, in and to the ſaid public ground, wit appertenances thereunto belonging.

CHAP. XVII.

Paſſed 8th of June, 1751.

An ACT continuing an act, entitled, (a) An additional ſupplementary act to the act, entitled, act relating to ſervants and ſlaves. Lib. BLC. fol. 540.

(a) 1748, ch. 19, hereby continued three years, &c.

CHAP. XVIII.

An ACT continuing an act, entitled, (b) An act to exempt perſons appearing at muſters from ar in civil caſes. Lib. BLC. fol. 540.

(b) 1748, ch. 1, hereby continued three years, &c.

CHAP. XIX.

An ACT continuing an act, entitled, (c) An act to prevent certain evils and inconvenience tending the ſale of ſtrong liquors, and running of horſe-races, near the yearly meetings of the ple called Quakers, and to prevent the tumultuous concourſe of negroes, and other ſlaves, d the ſaid meetings. Lib. BLC. fol. 541.

(c) 1747, ch. 17, hereby continued three years, &c.

CHAP. XX.

An ACT to oblige the naval-officers to give ſufficient bonds for what monies they ſhall recei longing to the public. Lib. BLC. fol. 541.

CHAP. XXI.

An ACT for erecting a new market-houſe in the city of Annapolis. Lib. BLC. fol. 542.

CHAP. XXII.

An ACT to empower the juſtices of Prince-George's county court, to treat with Anne Da widow, for her claim of dower to the land on which that county court-houſe is built, and purpoſes therein mentioned. Lib. BLC. fol. 542.

CHAP. XXIII.

An ACT to enable the veſtrymen and churchwardens of Coventry pariſh, lying partly in Som and Worceſter counties, to purchaſe two acres of land, at ſome place between Dividing and ſiango creeks, in Worceſter county, fit and convenient to build a chapel of eaſe on, and to the pariſhioners of the ſaid pariſh with a certain ſum of current money for completing the Lib. BLC. fol. 543.

CHAP. XXIV.

An ACT to repeal part of an act, entitled, (d) An act to encourage the deſtroying of ſquirr crows in the ſeveral counties therein mentioned. Lib. BLC. fol. 545.

(d) 1750, ch. 22, which expired in 1752.

CHAP. XXV.

An ACT for laying out and erecting a town on Patowmack ri above the mouth of Rock creek, in Frederick county. Lib. BL fol. 545.

Preamble.

WHEREAS ſeveral inhabitants of Frederick county, by their humble petition to this g aſſembly, have ſet forth, that there is a convenient place for a town on Patowmack riv bove the mouth of Rock creek, adjacent to the inſpection-houſe in the county aforeſaid, and p that ſixty acres of land may be there laid out and erected into a town;

Commiſſioners appointed, &c.

II. Be it therefore enacted, *by the right honourable the Lord Proprietary, by and with the and conſent of his lordſhip's Governor, and the Upper and Lower Houſes of Aſſembly, and the authority ſame*, That captain Henry Wright Crabb, Maſter John Needham, Maſter John Clagett, Maſter Perrie, Maſter Samuel Magruder the Third, Maſter Joſias Bealle and Maſter David Lynn,

CHAP. XXV.

hereby appointed commiſſioners for Frederick county aforeſaid, and are hereby authoriſed and ered, as well to buy and purchaſe ſixty acres, part of the tracts of land belonging to Meſſieurs Gordon and George Bell, at the place aforeſaid, where it ſhall appear to them, or the major them, to be moſt convenient as to ſurvey and lay out, or cauſe the ſame to be ſurveyed and t, in the beſt and moſt convenient manner, into eighty lots, to be erected into a town.

Land to be purchaſed, &c.

AND BE IT FURTHER ENACTED, *by the authority, advice and conſent aforeſaid*, That the com- ers aforeſaid before nominated and appointed, or the major part of them, are hereby empow- nd required, at ſome time by them, or the major part of them, to be appointed, before the y of October next, to meet together on the land aforeſaid, or at ſome other place near and ient thereto, and then and there treat and agree (if the ſame can be done on reaſonable terms,) he owner or owners, and perſon or perſons intereſted in the ſame ſixty acres of land, for the ſe thereof; and if it ſhall happen that the ſaid owner or owners, perſon or perſons, will not ith the ſaid commiſſioners for ſuch rate or price as they the ſaid commiſſioners, or the major them, ſhall think reaſonable, or ſhall refuſe to make ſale of the ſame, or that through non-age, re, or any other diſability or impediment, ſhall be diſabled to make ſuch ſale, that then and ſuch caſe the commiſſioners aforeſaid, or the major part of them, ſhall and are hereby empow- d required, to iſſue a warrant, under their hands and ſeals, directed to the ſheriff or coroner erick county aforeſaid for the time being, commanding him to ſummon and impannel a jury of en good and lawful men, freeholders of his bailiwick, to be and appear at the day and place warrant to be mentioned, which ſheriff is hereby required and obliged to execute the ſame; t jury, being by the ſaid commiſſioners charged and ſworn, ſhall, upon their oath, inquire, nd return, what damages or recompence they ſhall think fit to be paid and given to ſuch owner ers, perſon or perſons, for the ſixty acres of land aforeſaid, and that whatever ſum or ſums ey ſuch jury ſhall ſo aſſeſs and award, ſhall and is hereby declared to be the value and price to to ſuch owner or owners, perſon or perſons, intereſted in the ſixty acres of land aforeſaid; he ſaid jury ſhall aſſeſs and value the ſaid land at a leſs price than fifty ſhillings current money acre, then in ſuch caſe the purchaſer or purchaſers of ſuch land ſhall pay ſuch further ſum, d above what ſhall be the valuation of the ſaid jury, as ſhall make up the full ſum of fifty ſhil- e money as aforeſaid for every acre, to be paid to ſuch proprietor or proprietors as aforeſaid.

Lots to be ſurveyed, &c.

AND BE IT FURTHER ENACTED, *by the authority, advice and conſent aforeſaid*, That after the ent and purchaſe of the commiſſioners aforeſaid, or after the aſſeſſment and return of the jury d, as the caſe ſhall happen, the aforeſaid commiſſioners, or the major part of them, ſhall and eby required to cauſe the ſame ſixty acres of land to be carefully ſurveyed, divided and laid the ſurveyor of the county aforeſaid, or ſuch other perſon as they, or the major part of them, ke choice of and appoint for that purpoſe, as near as conveniently may be, into eighty equal owing ſuch ſufficient ſpace or quantity thereof for ſtreets, lanes and alleys, as to them ſhall eet, and the ſame lots ſo laid out ſhall number with numbers, one, two and three, and ſo to for diſtinguiſhing each lot from the other; and ſhall cauſe the ſtreets, lanes and alleys, to be nd diſtinguiſhed by certain names, and by good ſufficient cedar or locuſt poſts, to be ſet up as ary to each of them.

Price to be aſſeſſed, &c.

ND BE IT FURTHER ENACTED, *by the authority, advice and conſent aforeſaid*, That the commiſſi- r the major part of them, ſhall and are hereby required to aſſeſs, ſet and aſcertain the price aid for each of the lots aforeſaid, according to the value, conveniency and ſituation thereof, s that the prices of all the ſaid lots, added together, may amount to the ſum by them agreed awarded by the jury, for the aforeſaid ſixty acres of land, and no more; and the aforeſaid es of land being ſo ſurveyed, laid out and divided, ſhall be and is hereby erected into a town, l be called by the name of George-town.

Owners to have choice, &c.

ND BE IT FURTHER ENACTED, That the owner or owners of the aforeſaid land ſhall and e his, her or their choice of any two of the lots aforeſaid, to be by him, her or them re- for his, her or their proper uſe, provided ſuch choice ſhall be made and declared to the com- rs aforeſaid, or the major part of them, within ten days after the ſurvey aforeſaid ſhall be d completed, and not otherwiſe; and that after ſuch choice is made, or in caſe no ſuch choice made within the ten days aforeſaid, then after the expiration of the ſame ten days, all per- atſoever ſhall be at liberty to take up and purchaſe the ſame lots, paying the owner or owners , or others therein intereſted, the price or value thereof ſo as aforeſaid ſet and aſſeſſed by miſſioners aforeſaid; and that every perſon who ſhall pay as aforeſaid the price of the lot by ber ſo taken up or choſen, or ſhall prove to the ſatisfaction of the ſaid commiſſioners, or the

CHAP. XXV.

major part of them, that he or ſhe had tendered or offered to pay the ſaid price to the own owners aforeſaid, and that ſuch owner had refuſed to accept or receive the ſame, and an ent ſuch payment or tender and refuſal being made according to the directions hereafter mentioned, perſon ſhall and is hereby declared to be, by virtue of ſuch payment or tender and refuſal, and thereof made as aforeſaid, and this act, fully and abſolutely inveſted and ſeized of and in an eſta inheritance in fee-ſimple of and in ſuch lot, to him or her, and his or her heirs and aſſigns for without any deed, conveyance or other transfer from ſuch owner or owners for the ſame, any tute, law, uſage or cuſtom, to the contrary notwithſtanding.

Proviſo.

VII. PROVIDED ALWAYS, That it ſhall not be lawful for any perſon to take up, enjoy, ha poſſeſs, more than one of the ſame lots, within twelve months after the ſame are divided and out as aforeſaid; provided alſo, that all and every the perſon and perſons aforeſaid ſo taking u lots aforeſaid, or any of them, ſhall and are hereby obliged and required, within two years after ſhall take up their reſpective lots as aforeſaid, and entry thereof made as aforeſaid, to erect, and finiſh thereon, one good and ſubſtantial houſe that ſhall cover four hundred ſquare feet of g at the leaſt, and that it be made in every reſpect tenantable, with one good brick or ſtone chi thereto; and that all and every of ſuch taker or takers up, who ſhall neglect to build as aforeſa their reſpective lots aforeſaid, within the time herein for that purpoſe limitted and appointed, loſe ſuch, and the eſtate of ſuch taker up ſo neglecting as aforeſaid, ſhall from henceforth ceas determine, and ſuch lot or lots ſo neglected to be built upon ſhall be ſubject to be again taken u any other perſon whatſoever, which ſecond taker up, paying to the commiſſioners aforeſaid the thereof ſo as aforeſaid aſſeſſed, and entry thereof made as aforeſaid, and building thereon as befo rected within the time before limitted after ſuch ſecond taking up, ſhall have the like eſtate in fe or lots as the firſt takers up who ſhall comply with the requiſites before mentioned are herein b declared to have, and ſo, *toties quoties*, until the ſame lots ſhall be built on and improved as afore

Money to be applied, &c.

VIII. AND BE IT FURTHER ENACTED, That the money aforeſaid directed to be paid to the miſſioners aforeſaid, for the lots not built on and improved by the firſt or other takers up with time herein limitted, ſhall and is hereby directed to be applied to ſuch purpoſes, for the uſe and fit of the ſaid town, as to the ſaid commiſſioners, or the major part of them, ſhall ſeem meet.

A fair plot to be made out, &c.

IX. AND BE IT FURTHER ENACTED, *by the authority aforeſaid*, That the ſurveyor of the co aforeſaid, or any other perſon whom the commiſſioners aforeſaid, or the major part of them, appoint to ſurvey and lay out the lands aforeſaid, as before herein directed, ſhall make out and exact plot of the town aforeſaid, and ſurvey thereof, whereby each lot, ſtreet, lane and may appear to be well diſtinguiſhed by their reſpective numbers and names, and the ſame plot, a full and plain certificate thereof, ſhall deliver to the commiſſioners as aforeſaid, or the major of them, to be entered and repoſited as hereafter directed; and that the ſaid ſurveyor, or other ſon appointed as aforeſaid, ſhall have and receive for ſurveying and laying out the town afore and making the plot aforeſaid, the ſum of one thouſand pounds of tobacco, to be paid and a in the county levy, and no more.

Commiſſioners to appoint a clerk, &c.

X. AND BE IT FURTHER ENACTED, *by the authority aforeſaid*, That the commiſſioners aforeſa the major part of them, ſhall and are hereby required to employ ſome ſufficient perſon for their and ſhall adminiſter an oath to ſuch clerk for the due performance of his office, which clerk ſha is hereby obliged to find and provide a good well bound book, for regiſtering and entering the ceedings of the ſaid commiſſioners in the premiſes, and ſhall duly and faithfully regiſter and ex ſuch book the certificate of the ſurvey aforeſaid, the prices of each reſpective lot, the name owner, and the time of its being taken up and paid for, or of the tender or refuſal as aforeſaid all other the tranſactions and proceedings of the aforeſaid commiſſioners whatſoever, in and the town aforeſaid; which ſaid regiſter, together with the plot or ſurvey of the ſame town, ſh carefully examined and inſpected by the aforeſaid commiſſioners, or the major part of them after the ſame is completed, ſhall be lodged with, and delivered to, the clerk of the ſame coun be by him kept amongſt the records of the ſame county.

And aſcertain his fees, &c.

XI. AND BE IT FURTHER ENACTED, That the ſaid commiſſioners, or the major part of them, limit and aſcertain what fees their clerk aforeſaid ſhall have and receive for the ſeveral ſervi him to be done by virtue of this act, to be paid by the ſeveral perſons taking up the lots aforeſa

XII. AND, whereas it may be advantageous to the ſaid town to have fairs kept therein, an prove an encouragement to the back inhabitants, and others, to bring commodities there to ſe

BE IT ENACTED, That it shall and may be lawful for the commissioners of the said town to ap- CHAP. XXV.
two fairs to be held therein annually, the one fair to begin on the second Thursday in April, Two fairs to be held, &c.
e other on the first Thursday in October, annually; which said fairs shall be held each for the of three days, and that during the continuance of such fair or fairs, all persons within the of the said town shall be privileged and free from arrests, except for felony or breach of the and all persons coming to such fair or fairs, or returning therefrom, shall have the like pri- of one day before the fair, and one day on their return therefrom; and the commissioners for id town are hereby empowered to make such rules and orders for the holding the said fairs, as nd to prevent all disorders and inconveniencies that may happen in the said town, and such as nd to the improvement and regulating of the said town in general, so as such rules, except in ne, affect none but livers in the said town, or such person or persons as shall have a lot or old therein, any law, statute, usage or custom, to the contrary notwithstanding; provided al- that such rules and orders be not inconsistent with the laws of this province, nor the statutes oms of Great-Britain.

I. AND BE IT FURTHER ENACTED, That the commissioners for the said town, or the major part Nuisances may be removed.
n, from time to time, and at all times, shall have power to remove all nuisances that they nd in any of the streets or alleys of said town; provided nevertheless, that this act, nor any erein contained, shall extend, or be construed to extend, to enable or capacitate the said com- ers or inhabitants of the said town to elect or choose delegates or burgesses to sit in the general y of this province as representatives of the said town; BUT IT IS HEREBY ENACTED, That mmissioners or the inhabitants of the said town shall not elect or choose any delegate or dele- burgess or burgesses, to represent the said town in any general assembly of this province.

V. AND BE IT FURTHER ENACTED, That when and as often as any of the commissioners afore- How vacancies are to be filled.
all die, or remove from the county aforesaid, or refuse or neglect to join in the execution of t, then and in any such case the major part of the other commissioners aforesaid shall choose in the place of such who shall die, refuse, remove, or neglect as aforesaid, and such person ons so chosen, shall have equal power to act as the other commissioners herein mentioned.

AND BE IT FURTHER ENACTED, *by the authority aforesaid*, That all and every person and persons Rents payable.
up and possessing the lots aforesaid, or any of them, shall be and are hereby obliged to pay he right honourable the lord proprietary, his heirs or successors, the yearly rent of one penny money for each respective lot by them so taken up and possessed, to be paid in the same man- his land-rents in this province now are, or hereafter shall be paid.

I. Saving unto his most sacred majesty, his heirs and successors, the right honourable the lord A Saving of rights.
etary, his heirs and successors, and to all bodies politic and corporate, and all persons not men- in this act, their several and respective rights, any thing in this act to the contrary notwith- g.

A SESSION of ASSEMBLY, begun and held at the CITY of NNAPOLIS, the 7th day of December, in the 1st year of the ominion of the right honourable FREDERICK, absolute Lord and roprietary of the Provinces of Maryland and Avalon, Lord Baron Baltimore, &c. and ended the 14th day of the same month, *no domini* 1751, the following laws were enacted.

SAMUEL OGLE, ESQUIRE, GOVERNOR.

CHAP. XXVI.

CT for the dividing of certain warehouses in Talbot county therein named. Lib. BLC. Passed 14th of Dec. 1751.
551.

To continue in force till the 1st December, 1753. Expired.

CHAP. XXVII.

Passed 14th of Dec. 1751. An ACT for the continuation of actions, and securing the peace and good government of this province. Lib. BLC. fol. 552.

This act confirmed the acts made at May session, 1751, notwithstanding the death of the late lord Baltimore. It contained visions also respecting the continuance of suits, &c. and guarding against the death of a future proprietary, which have ceased to have any operation.

1752. At a SESSION of ASSEMBLY begun and held at the CITY ANNAPOLIS, the 3d day of June, in the 2d year of the dominion of the right honourable FREDERICK, absolute Lord and Proprietary of the provinces of Maryland and Avalon, Lord Baron Baltimore, &c. and ended the 23d day of the same month, *anno domini* 1752, the following laws were enacted.

BENJAMIN TASKER, ESQUIRE, PRESIDENT.

CHAP. I.

Passed 23d of June, 1752. An ACT to prevent disabled and superannuated slaves being set free, or the manumission of them by any last will or testament. Lib. BLC. fol. 555.

Continued by 1755, ch. 12, for three years, by 1758, ch. 9, for seven years, &c. by May, 1766, ch. 1, for twenty years, by 1786, ch. 35, for three years, &c. by 1789, ch. 61, to the end of the next session, by 1790, ch. 59, (except in parts repealed that session,) to 30th October, 1797, &c. by 1797, ch. 116, to 1st of November, 1798, &c. Expired.

CHAP. II.

An ACT directing the manner of punishing fornication and adultery before a single justice of the peace out of court. Lib. BLC. fol. 557.

To continue for three years from the 1st October next, &c. It was farther continued for three years, &c. by 1756, ch. and expired in April, 1760.

CHAP. III.

* 1715, ch. 39. An additional and supplementary act to the act, entitled, * An act for the better administration of justice in testamentary affairs, grants of administrations, recovery of legacies, securing filial portions, and distribution of intestates estates. Lib. BLC. fol. 559.

Preamble. WHEREAS it hath been a doubt, whether persons chosen by orphans of the age of fourteen years, or upwards, to be guardians to such orphans, are by law obliged by the said act to give security, upon their acceptance of the guardianship, to pay and deliver unto such orphans their estates at their respective ages when by law they shall be entitled to receive the same; for removal of which doubt,

Guardians to give security, &c. II. BE IT ENACTED, *by the right honourable the Lord Proprietary, by and with the advice and consent of his lordship's President, and the Upper and Lower Houses of Assembly, and the authority of the same*, That several and respective county courts within this province may and shall, and they are hereby empowered and directed, upon the choice of any guardian or guardians by any orphan or orphans that shall be of age to choose their guardians, to cause such guardian or guardians, upon their acceptance of the guardianship, to enter into bond, with two sufficient sureties, in the names of the orphans themselves, for the securing and delivering the estates of such orphans which shall come to their hands and possession to the said orphans, their executors or administrators, when thereunto lawfully called, according to the rules and directions of the said act.

III.

CHAP. III.

AND BE IT FURTHER ENACTED, *by the authority, advice and conſent aforeſaid*, That upon ſuch ty being given, the court before whom the ſame ſhall be given ſhall make an order for the de- g and paying the eſtate of ſuch orphan into the hands of ſuch guardian; and that no executor, iſtrator or former guardian, ſhall pay or deliver unto ſuch guardian, ſo choſen, the eſtate of rphan in his, her or their hands being, until ſuch guardian ſo choſen ſhall have entered into according to the directions of this act, and ſhall have delivered unto ſuch executor, adminiſtra- former guardian, a copy of ſuch order, under the hand of the clerk of ſuch court.

Court to make an order, &c.

AND BE IT FURTHER ENACTED, That the ſeveral county courts within this province re- ely ſhall have power and authority, when and as often as they ſhall find neceſſary, to oblige uardian or guardians to give new and better ſecurity, and upon ſuch guardian or guardians re- to proceed therein according to the directions of an act of aſſembly, entitled, An additional pplementary act to the ſeveral acts for adminiſtration of juſtice in teſtamentary affairs, in caſe any guardian or other perſon in poſſeſſion of any orphan's eſtate, ſhould refuſe to give new or ſecurity for ſuch eſtate.

And may oblige guardians to give new ſecurity, &c.

Such parts of this act as are repugnant to the act of 1798, ch. 101, are thereby repealed.

CHAP. IV.

CT for dividing of certain warehouſes in Kent county therein named. Lib. BLC. fol. 559.

Paſſed 23d of June, 1752.

To continue in force till the 1ſt December, 1753. Expired.

CHAP. V.

CT continuing an act, entitled, (a) An act for the more effectual deſtroying ſquirrels and crows he counties of Kent, Queen-Anne's and Talbot, and for deſtroying red foxes in the ſaid coun- Lib. BLC. fol. 560.

(a) 1749, ch. 9, hereby continued three years, &c.

CHAP. VI.

pplementary act to an act, entitled, An act to enable the juſtices of Charles county to aſſeſs levy on the taxable inhabitants of that part of the late reverend Mr. Donaldſon's pariſh which in the ſaid county fifty-five thouſand pounds of tobacco, and for other purpoſes therein men- ed. Lib. BLC. fol. 561.

CHAP. VII.

upplementary act to the act, entitled, * An act for the appoint- ent of conſtables, and what relates to their office, and aſcertain- g what perſons are taxables. Lib. BLC. fol. 561.

* 1715, ch. 15.

HEREAS by the above recited act it is amongſt other things enacted, "that the juſtices of peace in every reſpective county of this province, at the firſt county court held after Michaelmas, ppoint conſtables in each hundred of their ſeveral and reſpective counties; and the ſaid con- ſo appointed, ſhall, before they enter into that office, take the ſeveral oaths appointed to be by all officers by the acts of aſſembly of this province, and the oath of a conſtable:" And s it often happens, that the perſons ſo appointed as aforeſaid delay taking the oaths aforeſaid, ch means the hundred for which ſuch perſon is appointed remains a conſiderable time without able;

Preamble.

BE IT THEREFORE ENACTED, *by the right honourable the Lord Proprietary, by and with the advice ſent of his lordſhip's Preſident, and the Upper and Lower Houſes of Aſſembly, and the authority of the* hat from and after the end of this ſeſſion of aſſembly, the clerk of every county court re- ely, after the appointment of every conſtable in ſuch county, ſhall ſignify ſuch appointment his hand, and deliver the ſame to the ſheriff of the ſaid county within five days after every ppointment, under the penalty of twenty ſhillings, to be recovered before a ſingle magiſtrate afe of ſmall debts, to and for the uſe of the county where ſuch neglect of notice ſhall be made; e ſheriff ſhall, within ten days after ſuch delivery as aforeſaid, deliver the ſame to each re- e perſon ſo appointed as aforeſaid, or leave the ſame at his uſual place of abode, under the of twenty ſhillings current money, to be recovered in manner aforeſaid, to the uſe aforeſaid; very perſon ſo appointed as aforeſaid, that ſhall not within five days after ſuch notice qualify by taking the oaths appointed by the ſaid recited act, ſhall incur the penalty mentioned in d act, to be recovered as by the ſame act is directed, and applied to the uſe therein men-

Clerk to certify appointments, &c.

III. AND,

CHAP. VII.

III. AND, whereas there is no provision made by the above recited act for the appointment of constables on the death or removal of any constable, who shall die or remove before he hath served his due time in that station limitted by law, or that shall refuse to qualify upon any appointment according to the directions of this and the above recited act; for remedy whereof, BE IT LIKEWISE ENACTED, That where any such constable shall die, or remove out of the county in which he was to be appointed, either before or after his qualification in manner aforesaid, or that shall refuse or neglect to qualify on such appointment in manner aforesaid, that then and in such case it shall and may be lawful for any two of the next justices of the peace in the county where such death, removal or refusal shall happen, and they are hereby required, forthwith to appoint another proper person of the said hundred to be constable in the place and stead of such constable so dead, removed or refusing, which person, by the justices aforesaid so appointed, upon their certificate of such appointment to him delivered, shall, within the time aforesaid, and according to the directions of this and the above recited act, qualify himself in the same manner and form, and be subject to the same penalties, imposed by this and the above recited act on all constables who shall be appointed at the first courts which shall be held after Michaelmas respectively, are.

On death, &c. justices to appoint, &c.

See the acts of 1794, ch. 53, section 8, and 1798, ch. 34, section 3.

CHAP. VIII.

Passed 23d of June, 1752. * 1715, ch. 47.

A Supplementary act to an act, entitled, * An act for quieting possessions, enrolling conveyances, and securing the estates of purchasers. Lib. BLC. fol. 562.

Preamble.

WHEREAS by the act of assembly, entitled, An act for quieting possessions, enrolling conveyances, and securing the estates of purchasers, or by any other law of this province, there is not any express provision made how or in what manner the acknowledgment of any *feme-covert* named as a grantor, bargainor or donor, in such deed indented, or mentioned in the said act for conveying lands, tenements or hereditaments, which lay within this province, wherein such *feme-covert* hath the estate of inheritance, or taken only to bar her of dower, where she resides out of this province, shall be so taken; for remedy whereof, and to direct the method of taking the acknowledgment of such *feme-coverts* for the future, it is humbly prayed that it may be enacted,

Nonresident *feme-coverts* may acknowledge, &c.

II. AND BE IT ENACTED, *by the right honourable the Lord Proprietor, by and with the advice and consent of his lordship's President, and the Upper and Lower Houses of Assembly, and the authority of the same*, That from and after the end of this session of assembly, where any lands, tenements or hereditaments lying and being within this province, shall be conveyed by any deed whatsoever, wherein any *feme-covert* shall be named as a bargainor or vendor, for transferring her estate of inheritance in such lands, tenements or hereditaments as aforesaid, or wherein such *feme-covert* may have right or title of dower, only where any such *feme-covert* as aforesaid shall, at the time of her executing such deed, reside and be out of this province, in Great-Britain, Ireland, or within any province or colony within his majesty's dominions, it shall and may be lawful for any such *feme-covert* to acknowledge such deed, and be examined apart from, and out of the hearing of, her husband, before the mayor of any corporation within Great-Britain or Ireland, or before one of the justices of the supreme or provincial court of such province or colony within his majesty's dominions, whether she doth make such acknowledgment of the same willingly and freely, and without being induced thereto by fear, threats of, or ill usage by, her husband, or fear of his displeasure; and the mayor or justice so taking such acknowledgment as aforesaid, and certifying the said examination and acknowledgment, by an indorsement upon such deed or writing under his hand, and the seal of such corporation, where it is before a mayor, or the seal of the province or colony within his majesty's dominions where it is, and a certificate of such private examination and acknowledgment, so as aforesaid to be taken and made, shall be adjudged and deemed good and available in law, to all intents, constructions and purposes whatsoever, to bar such *feme-covert* of her right of inheritance or dower, as the case may be, to said lands, tenements and hereditaments, according to the purport of such deed or acknowledgment, as fully and effectually as if, at the time of executing and acknowledging such deed, she had been residing within this province, and had here made such acknowledgment, agreeable to the direction of the aforesaid act, and no further, or otherwise, any law, usage or custom, to the contrary in anywise notwithstanding.

CHAP. IX.

An ACT for the destroying squirrels and crows in the several counties therein mentioned. BLC. fol. 563.

To remain in force three years, &c. Continued farther by 1755, ch. 3, and expired in December, 1758.

CH

CHAP. X.

CT directing the former ſheriffs of the ſeveral counties within this province, their heirs, exe- Paſſed 23d of
rs or adminiſtrators, to account with the juſtices of the ſeveral county courts for the tobacco June, 1752.
ein mentioned. Lib. BLC. fol. 564.

CHAP. XI.

CT continuing an act, entitled, (a) An act for aſcertaining the allowance of petit jurors at-
ling the provincial court, to limit coſts with reſpect to witneſſes, and for ſettling their allow-
as to itinerant charges. Lib. BLC. fol. 565.

(a) 1749, ch. 2, hereby continued three years, &c.

CHAP. XII.

CT continuing an act, entitled, (b) An act continuing an act, entitled, An act for the ſpeedy
effectual publication of the laws of this province, and for the encouragement of Jonas Green,
he city of Annapolis, printer. Lib. BLC. fol. 565.

(b) 1749, ch. 8, hereby continued till the 1ſt December, 1753.

CHAP. XIII.

ACT for the relief of ſuch perſons as cannot find ſurety for their ppearance to teſtify as a witneſs againſt any perſon arreſted, accuſed r proſecuted for any criminal matter. Lib. BLC. fol. 566.

HEREAS many indigent perſons or ſtrangers have been neceſſarily, for want of ſureties to Preamble.
appear as witneſſes, committed to priſon, by means whereof ſuch perſons have been often ſold
ants for the priſon fees ariſing upon ſuch commitment, or otherwiſe detained in priſon for ſuch
o their great damage, and loſs to the public, in the labour of ſuch perſon or perſons;

BE IT THEREFORE ENACTED, *by the right honourable the Lord Proprietary, by and with the advice and* Fees to be paid
of his lordſhip's Preſident, and the Upper and Lower Houſes of Aſſembly, and the authority of the ſame, by the county,
where any perſon, witneſs againſt any perſon or perſons accuſed of any crime or crimes within &c.
rovince, cannot find ſecurity for his appearance to teſtify as a witneſs againſt any perſon ſo ar-
accuſed or proſecuted as aforeſaid, and for want of ſuch ſurety ſhall be committed to priſon,
hen and in ſuch caſe the county where the proſecution ſhall be carried on ſhall be chargeable
nd pay ſuch witneſs's impriſonment fees; and in caſe the proſecution ſhall be in a ſuperior
then and in ſuch caſe the public ſhall be chargeable with and pay ſuch fees, any law, uſage or
, to the contrary notwithſtanding.

AND BE IT LIKEWISE ENACTED, That the juſtices of the ſeveral and reſpective county courts And levied as
nd they are hereby obliged and directed to aſſeſs and levy on the taxable inhabitants of their other county
es reſpectively all ſuch fees as are herein before directed to be paid by the reſpective counties, dues, &c.
ime to time, and at all times hereafter, as often as the caſe ſhall require, during the continu-
f this act; and that all ſuch fees ſhall and may be paid by the inhabitants of this province, in
ne manner as they are allowed by law to pay any other county or public charges.

This act to continue for three years, and unto the end of the next ſeſſion of aſſembly which Duration.
ppen after the expiration of the ſaid three years.

ther continued by 1755, ch. 11, 1758, ch. 8, 1762, ch. 19, 1765, ch. 15, June, 1773, ch. 2, October, 1780, ch. 12, No-
r, 1787, ch. 38, 1795, ch. 83, till January 30th, 1798; revived and continued to the end of the ſeſſion, 1798, ch. 10, (and
done under it confirmed,) and enacted into a permanent law by 1798, ch. 71.

CHAP. XIV.

ACT to amend and explain an act, entitled, * An act to prevent certain evils and inconveniencies attending the ſale of ſtrong liquors, d running of horſe-races, near the yearly meetings of the people lled Quakers, and to prevent the tumultuous concourſe of negroes d other ſlaves during the ſaid meetings. Lib. BLC. fol. 566.

* 1747, ch. 17.

HEREAS by the above-mentioned act it is doubtful whether perſons ſelling ſtrong or ſpiritu- Preamble.
ous liquors in Talbot and Anne-Arundel counties, during the days on which the yearly meet-
ings

CHAP. XIV.

ings of the people called Quakers are kept or held at their meeting-houſes in the ſaid counties, w out having firſt built, ſet up or erected a booth, or other conveniency for that purpoſe, are w the intent and meaning of the ſaid act; for removing of which doubt, and more effectually prev ing the evils and inconveniencies complained of by the ſaid recited act, it is prayed that it may enacted,

Penalty for ſelling ſtrong liquors, &c.

II. AND BE IT ENACTED, *by the right honourable the Lord Proprietary, by and with the advice and ſent of his lordſhip's Preſident, and the Upper and Lower Houſes of Aſſembly, and the authority of the* That from and after the end of this preſent ſeſſion of aſſembly, if any perſon or perſons whatſoe ſhall ſell, diſpoſe of, or expoſe to ſale, any ſtrong or ſpirituous liquors of any kind whatſoever, near any public road in the counties of Talbot and Anne-Arundel, at any diſtance within three m in the ſaid counties from the meeting-houſes aforeſaid, during the days on which the yearly meeti of the people called Quakers ſhall be kept or held, or ſhall ſell, diſpoſe of, or expoſe to ſale, any ſtrong or ſpirituous liquors at any place whatſoever within three miles diſtant from the ſaid meeti houſes, ſuch perſon or perſons, for every ſuch offence, ſhall forfeit and pay the ſum of five pou current money, one half to the informer, or him or them who will ſue for the ſame, the other ha the uſe of the county ſchool where ſuch offence ſhall be committed, to be recovered in any cou record within this province by action of debt, bill, plaint or information, wherein no eſſoin, pro tion or wager of law ſhall be allowed, any thing in the above recited act to the contrary in any notwithſtanding.

Proviſo.

III. PROVIDED ALWAYS, That nothing herein contained ſhall extend to prevent, hinder or clude, any licenſed ordinary-keeper, merchant, or other perſon dwelling or reſiding in the ſaid c ties, from ſelling any ſtrong or ſpirituous liquors at his or her dwelling-houſe, or place of reſid during the days on which ſuch yearly meetings ſhall be kept or held as aforeſaid, ſo that ſuch liq to be ſold as aforeſaid, (except what is ſold by perſons duly admitted and licenſed to keep ordina be not drank at the place where the ſame is ſold or expoſed to ſale.

Part of an act repealed.

IV. AND BE IT FURTHER ENACTED, That ſo much of the above recited act, prohibiting the ting up and erecting any booth or conveniency, or ſelling or diſpoſing of any ſtrong or ſpiri liquors, or other accommodations, or giving any entertainment to any perſons at a diſtance more three miles, be and is hereby repealed.

Duration.

V. This act to continue during the continuance of the above recited act, and no longer.

The original act of 1747, ch. 14, is (together with this act,) continued by 1754, ch. 20, 1757, ch. 20, 1762, ch. 3, b vember, 1765, ch. 23, for ſeven years, &c. by June, 1773, ch. 2, for ſeven years, &c. by October, 1780, ch. 12, for ſeven &c. by November, 1787, ch. 38, for ſeven years, &c. by 1795, ch. 83, to 30th January, 1798; revived and continued (w where altered,) by 1798, ch. 10, (and all acts done under it confirmed,) and by 1798, ch. 71, enacted into a permanent la

CHAP. XV.

Paſſed 23d of June, 1752.

An ACT empowering the juſtices of Baltimore county court to aſſeſs and levy a (a) ſum of cur money, and for other purpoſes therein mentioned. Lib. BLC. fol. 567.

(a) Viz. £. 1200 on the inhabitants of St. John's pariſh, for purchaſing one acre of land in the fork of Gunpowder and building thereon a chapel, which, when built, ſhall be deemed a chapel of eaſe, and to be kept in repair at the coſt ſaid pariſh. A ſupplementary act 1753, ch. 32.

CHAP. XVI.

* 1746, ch. 1.

A Supplementary act to an act, entitled, * An act for iſſuing and taking out of the office of commiſſioners or truſtees for emitting bills of credit eſtabliſhed by act of aſſembly the ſum of thouſand five hundred pounds current money, for encouragement of ſuch able-bodied free me ſhall voluntarily enliſt themſelves in his majeſty's ſervice for the intended expedition againſt C da, and for maintaining and conveying them to the place of rendezvous, as alſo for replacing ſaid ſum, and for the better regulating ordinaries and ordinary-keepers, and for other purp therein mentioned. Lib. BLC. fol. 568.

For three years. Expired.

SESSION of ASSEMBLY begun and held at the CITY of NAPOLIS, the 2d day of October, and ended the 17th day November, in the 3d year of the dominion of the right honour- FREDERICK, absolute Lord and Proprietary of the provinces of ryland and Avalon, Lord Baron of Baltimore, &c. *annoque do-i* 1753, the following laws were enacted.

HORATIO SHARPE, ESQUIRE, GOVERNOR.

CHAP. I.

T for the adjournment and continuance of Talbot county court. Lib. HS. fol. 1. Passed 5th of Nov. 1753.

CHAP. II.

T for the advancement of juſtice. Lib. HS. fol. 1. Paſſed 17th of Nov. 1753.

To continue in force three years, &c. Further continued by 1757, ch. 2, and 1760, ch. 4.

CHAP. III.

T continuing an act, entitled, (a) An act for the gauge of barrels for pork, beef, pitch, tar, tine, and tare of barrels for flour or bread. Lib. HS. fol. 5.

(a) 1745, ch. 15, hereby continued three years, &c.

CHAP. IV.

T continuing an act, entitled, (b) An act to remedy ſome evils relating to ſervants. Lib. ol. 5.

(b) 1750, ch. 5, hereby continued three years, &c.

CHAP. V.

T continuing an act, entitled, (c) An act to prevent the ill practices of ſheriffs in the col- and payment of the public and county levies. Lib. HS. fol. 6.

42, ch. 7, hereby continued for and during the continuance of the paper money act of 1733, ch. 6, which expired the tember, 1764.

CHAP. VI.

T for trial of all matters of fact in the ſeveral counties where they have ariſen or ſhall ariſe. HS. fol. 6.

To continue in force three years, &c. Expired.

CHAP. VII.

T continuing an act, entitled, (d) A ſupplementary act to the act, entitled, An act aſcertaining eight of fences, to prevent the evils occaſioned by the multitude of horſes, and reſtraining rangers within this province, and to redreſs the great evil accruing to this province by the licity of uſeleſs horſes, mares and colts, that run in the woods. Lib. HS. fol. 15.

(d) 1750, ch. 25, hereby continued three years, &c.

CHAP. VIII.

T continuing an act, entitled, * An act for relieving the inhabitants of this province from aggrievances in the proſecution of ſuits at law, and for continuing the (e) ſupplementary act o. Lib. HS. fol. 15. * 1714, ch. 4.

(e) 1728, ch. 24, hereby continued three years, &c.

CHAP. IX.

ACT to prevent maſters of ſhips and veſſels from clandeſtinely ying ſervants and ſlaves, or perſons indebted, out of this pro- ce. Lib. HS. fol. 16.

HEREAS divers ſervants and ſlaves, belonging to the people of this province, and perſons indebted therein, have been carried away out of the ſame province in ſhips or veſſels trading Preamble.

CHAP. IX.

therein, to the great loſs and damage of his majeſty's ſubjects the good people of Maryland; to vent therefore ſo great an evil, it is prayed that it may be enacted,

Maſters of certain veſſels not to enter till they have taken an oath, &c.

II. AND BE IT ENACTED, *by the right honourable the Lord Proprietary, by and with the advice and of his lordſhip's Governor, and the Upper and Lower Houſes of Aſſembly, and the authority of the ſame,* from and after the end of this ſeſſion of aſſembly, when and as often as any commander or maſter veſſel above eighteen feet by the keel ſhall come to enter with, or take out a permit from, any officer within this province, or the limits or precincts thereof, it ſhall not be lawful for ſuch officer to ſuffer ſuch commander or maſter to enter ſuch his veſſel with him or them, or grant them a permit to trade within the ſaid province, until ſuch commander or maſter ſhall have take following oath on the Holy Evangels of Almighty GOD, or affirmation if a quaker, which oa affirmation, ſuch naval-officer or officers are hereby empowered to adminiſter, viz. "I A. B. " mander of the ſhip or veſſel C. will not clandeſtinely conceal, or permit to be concealed, on " my ſhip or veſſel, during my ſtay within this province, any ſervant or ſlave belonging to any " bitant or inhabitants thereof, nor will wittingly or willingly carry away out of this provinc " ſervant or ſlave, or ſervants or ſlaves, belonging to any inhabitant or inhabitants therein, " perſon or perſons indebted therein, common ſailors excepted, contrary to the laws of this pro " ſo help me GOD."

Nor ſuffer ſlaves to frequent their veſſels, &c.

III. AND BE IT LIKEWISE ENACTED, That no maſter of a veſſel coming into this province, a tering to trade therein, ſhall ſuffer any ſlave or ſlaves, ſervant or ſervants, to frequent his o veſſel or veſſels, or come on board or conceal ſuch ſervant or ſervants, or ſlave or ſlaves, on ſuch his or their ſhip or veſſel, or ſhips or other veſſels; and in caſe any ſervant or ſervants, ſl ſlaves, ſhall be kept or concealed on board any ſhip or ſhips, veſſel or veſſels, coming into and ing within this province, for the ſpace of one hour or longer, the maſter or commander of ſuc or veſſel ſhall forfeit and pay at the rate of twenty ſhillings current money, for every hour ea vant or ſlave ſhall be ſuffered to frequent his or their veſſel, or be kept or concealed on board their veſſel, to the party owning ſuch ſervant or ſlave, or ſervants or ſlaves, the ſame to be re ed in a ſummary way, before one juſtice of the peace, with coſts.

Proviſo.

IV. PROVIDED ALWAYS, That it ſhall and may be lawful for any maſter or commander of a or veſſel coming into or trading within this province to hire any ſervant or ſlave, ſervants or from any inhabitant within this province, to work on board ſuch his or their ſhip and veſſel, o and veſſels, any thing in this act contained to the contrary thereof in anywiſe notwithſtanding.

Proviſo.

V. PROVIDED NEVERTHELESS, AND IT IS HEREBY ENACTED AND DECLARED, That where happen, the maſter of ſuch ſhip or veſſel as aforeſaid ſhall, by reaſon of ſickneſs, be rendered to attend on ſuch naval-officer, that then and in ſuch caſe the chief mate, or next officer of ſu or veſſel, ſhall be admitted to make entry of the ſaid ſhip or veſſel, and that afterwards the ſa ter, as ſoon as he is able, and before the clearing of the ſaid ſhip or veſſel, ſhall be and is obliged to take the ſaid oath, or affirmation if a quaker, as afore-mentioned.

Duration.

VI. This act to continue for three years, and unto the end of the next ſeſſion of aſſembly ſhall happen after the expiration of the ſaid three years.

Farther continued by 1757, ch. 9, and 1760, ch. 2, for three years, &c. but by 1763, ch. 10, is made perpetual.

The 2d and 5th ſections have ceaſed to have any operation ſince the adoption of the general government.

CHAP. X.

Paſſed 17th of Nov. 1753.

An ACT to prevent perſons from ſecreting boats, flats and veſſels, drove by ſtreſs of weather, or otherwiſe, from landin moorings. Lib. HS. fol. 18.

Preamble.

WHEREAS it often happens that flats, boats and other veſſels, are by ſtreſs of weather ice, drove from landings, moorings and harbours, into the bay, and from one river to and are taken up by perſons who ſecrete ſuch boats or veſſels; to the intent therefore that the owners may not be deprived of their property,

Notice to be given, &c.

II. BE IT ENACTED, *by the right honourable the Lord Proprietary, by and with the advice and his lordſhip's Governor, and the Upper and Lower Houſes of Aſſembly, and the authority of the ſa* from and after the laſt day of March next, where any perſon or perſons ſhall diſcover, take

any flat, boat or other veſſel, drove from any place of mooring, landing, harbour or river, any other veſſel, ſuch perſon or perſons ſhall and they are hereby obliged, in ten days after ſcovery, taking up, and ſecuring as aforeſaid, to give notice thereof to ſome juſtice of the or the county where ſuch flat, boat or other veſſel, is taken up and ſecured as aforeſaid, which ice of the peace ſhall and he is hereby required to deliver to the party giving ſuch notice, an ement, deſcribing in the beſt manner the built and marks of ſuch flat, boat or other veſſel, name of ſuch perſon, and place of his abode, copies of which advertiſement the ſaid party ithin ten days after the date thereof, cauſe to be ſet up in the moſt public places of the ſaid and, within thirty days after ſuch date, procure the ſame to be inſerted in the Maryland , and ſhall deliver the ſame boat or other veſſel to the owner thereof, upon payment of reaſon- t and charges for the ſame, he or they firſt proving the property, by his or their own oath, or ſe, before ſome juſtice of the peace. CHAP. X.

AND BE IT FURTHER ENACTED, That if any perſon or perſons, after the ſaid laſt day of March, ke up and ſecure any flat, boat or other veſſel, drove from any place of mooring, landing or , or from any other veſſel, and ſhall not do and perform what is by this act required, ſhall nd pay to the owner or owners of ſuch flat, boat or veſſel, the ſum of fifty ſhillings current to be recovered in a ſummary way before one juſtice of the peace of the county where the cuſed doth reſide. Penalty for not doing what is required.

PROVIDED ALWAYS, That in caſe any ſuch flat, boat or other veſſel, ſhall be taken up on the of Cheſapeake bay, or the north ſide of Suſquehanna river, in the winter ſeaſon, when it happen that by reaſon of the ice no intercourſe may be had with the city of Annapolis, that d in ſuch caſe it ſhall and may be lawful for the perſon or perſons taking ſuch flat, boat or ſſel, into his or their cuſtody or care, to cauſe ſuch advertiſement as is herein before direct- inſerted in the Maryland Gazette within thirty days after the obſtruction of ſuch intercourſe unication with the ſaid city of Annapolis ſhall or may be removed. Proviſo.

his act to continue for three years, and unto the end of the next ſeſſion of aſſembly which pen after the expiration of the ſaid three years. Duration.

Farther continued 1757, ch. 9, and 1760, ch. 2, for three years, &c. but by 1763, ch. 8, is made perpetual.

CHAP. XI.

T for the relief of Thomas Barkley, a languiſhing priſoner in Kent county gaol. Lib. HS. . A Private Act. Paſſed 17th of Nov. 1753.

CHAP. XII.

ementary act to the act, entitled, An act to enable the juſtices of Charles county to levy a f tobacco on the taxable inhabitants of Port-Tobacco pariſh, in the ſaid county, for the pur- therein mentioned. Lib. HS. fol. 22.

CHAP. XIII.

T for the ſpeedy recovery of ſmall debts out of court before one juſtice of the peace. Lib. ol. 24.

To continue in force three years, &c. Further continued by 1757, ch. 11, and 1760, ch. 10.

CHAP. XIV.

T to empower the ſeveral courts within this province to order commiſſions for the examina- f witneſſes reſiding beyond ſea, and for the more eaſy foreclofure of mortgages. Lib. HS. .

To remain in force three years, &c.

CHAP. XV.

T empowering the incumbent and veſtrymen of St. Michael's pariſh, in Talbot county, and Tilghman, of the ſaid county, and Anne his wife, to make an exchange of certain lands mentioned. Lib. HS. fol. 28. A Private Act.

CHAP. XVI.

CT for repairing the public roads in this province. Lib. HS. 30.

A Supplementary act 1756, ch. 12.

EREAS it is repreſented to this general aſſembly, that the erecting and making milldams branches where formerly the main or public roads paſſed, and the narrowneſs of ſuch dams, Preamble.

CHAP. XVI.

and the flood-gates to the ſame, have been a great obſtruction and hinderance to carriage and ing on the public roads; for remedy whereof, it is prayed that it may be enacted,

Owners of mills to make the tops of their dams twelve feet wide, &c.

II. AND BE IT ENACTED, *by the right honourable the Lord Proprietary, by and with the advice and of his lordſhip's Governor, and the Upper and Lower Houſes of Aſſembly, and the authority of the ſame,* where any perſon or perſons have built, or ſhall build, a mill or mills on any branch or run any public or main road croſſed, or ſhall croſs, and have erected, or ſhall erect, any dam for mill or mills, ſuch perſon or perſons, or the owner, poſſeſſor or occupier of ſuch mill or mills, and they are hereby obliged to make the top of the ſaid dam twelve feet wide at the leaſt, and good and ſufficient bridges over the waſte and race of the ſaid mills and dams, and the ſame in good repair; and where any mill, hereafter to be erected, ſhall obſtruct any public road, and it be thought convenient by the juſtices of the ſaid county court where ſuch mill is ſo erected, that ſaid public road ſhall paſs below the dam of the ſaid mill, or where ſuch public road now paſſes low the dam of any ſuch mill or mills, that then and in every ſuch caſe the owner or owners, poſſeſſor or occupier of ſuch mill or mills, ſhall and they are hereby required to raiſe and make and ſufficient cauſeway acroſs the branch on which the ſaid mill is built, twelve feet wide, and a good and ſubſtantial bridge over the tail of the ſaid mill, and the ſame keep in good repair; the owner or owners, poſſeſſor or occupier, of any ſuch mill or mills, ſhall refuſe or neglect what is by this act required, and ſhall be thereof legally convict, he, ſhe or they, ſhall forfeit pay the ſum of twenty pounds current money, the one half thereof to be applied towards defe the charge of the county where ſuch neglect or refuſal ſhall happen, the other half to him, them, that ſhall inform or ſue for the ſame, to be recovered by action of debt, bill, plaint formation, in any court of record within this province, wherein no eſſoin, protection or w law, or more than one imparlance ſhall be allowed; provided, that ſuch perſon or perſons, ow owners, poſſeſſor or occupier, of ſuch mill or mills, ſhall not be obliged to ſend his or their perſons, who ſhall reſide in the precinct of ſuch public road, to work on any part of ſuch ro cept ſuch milldam, cauſeway, race and waſte, as aforeſaid.

Contracts made void.

III. AND BE IT FURTHER ENACTED, That all contracts heretofore made by the juſtices of ceſter county court with the proprietor or proprietors of any ſuch mill or mills, for the keep good repair ſuch dam or bridge, and free paſſage of travellers and carriages as aforeſaid, are b act made null and void to all intents and purpoſes whatſoever, any thing to the contrary in an notwithſtanding.

Proviſo.

IV. PROVIDED ALWAYS, AND BE IT ENACTED, That no owner or owners of ſuch mills as ſaid, over the dams of which public roads now paſs, ſhall be ſubject to any of the penalties act for not making ſuch milldams of the breadth in the ſaid act directed, until after the firſt November, which ſhall be in the year of our Lord ſeventeen hundred and fifty-four.

Duration.

V. This act to continue for five years, and unto the end of the next ſeſſion of aſſembly ſhall happen after the expiration of the ſaid five years.

Continued, together with its ſupplementary act, by 1758, ch. 8, 1762, ch. 17, 1765, ch. 20, 1769, ch. 2, for ſeve Expired February, 1777; revived and continued for ſeven years by March, 1778, ch. 6, 1785, ch. 77, continued three ye 1789, ch. 54, to 30th October, 1796, &c. 1796, ch. 64, to 20th October, 1798; revived and continued, (except where till the end of the ſeſſion, and all acts done under it confirmed, by 1798, ch. 10, and continued to 30th October, 1803 1798, ch. 71; but by 1794, ch. 52, and other acts, it was repealed as to ſeveral counties, and is now in force only in ties of St. Mary's, Calvert, Charles and Dorcheſter.

CHAP. XVII.

Paſſed 17th of Nov. 1753.

An ACT for regulating judicial proceedings. Lib. HS. fol.

Preamble.

WHEREAS in actions of trover and converſion, and actions of detinue, ſpecial bail by der and courſe of law is not granted, and for that many perſons commencing ſuch ſu want of ſpecial bail therein, have often loſt the effects of their judgments, the defendants ſuits frequently running away to avoid the conſequence thereof;

In certain actions court may award ſpecial bail, &c.

II. BE IT THEREFORE ENACTED, *by the right honourable the Lord Proprietary, by and with the and conſent of his lordſhip's Governor, and the Upper and Lower Houſes of Aſſembly, and the author ſame,* That in all actions of trover and converſion, and actions of detinue, to be commenced the firſt day of December next, in any of the courts in this province, it ſhall and may be lawful the juſtices of the court in which ſuch action ſhall be commenced, or ſuch of them as ſhall be upon the affidavit of the plaintiff, or other evidence of his cauſe of action given to the ſaid of ſuch court, to award ſpecial bail againſt any defendant or defendants in ſuch action, and

f ſuch bail to commit ſuch defendant or defendants to the cuſtody of the ſheriff, or coroner, caſe may require, until he, ſhe or they, ſhall put in ſuch bail as is uſual in other caſes, any ſage or cuſtom, to the contrary notwithſtanding. CHAP. XVII.

CHAP. XVIII.

CT empowering the juſtices of Prince-George's county to levy on the taxable inhabitants of Paul's pariſh, in the ſaid county, a ſum of current money for the uſes therein mentioned. HS. fol. 32. Paſſed 17th of Nov. 1753.

CHAP. XIX.

CT to enable the pariſhioners of part of St. Andrew's pariſh, in St. Mary's county, to chooſe ymen and churchwardens, and to enable the viſitors of the county ſchool, in ſaid county, to ſe viſitors. Lib. HS. fol. 33.

CHAP. XX.

CT to empower the commiſſioners of Baltimore-town to make an addition thereto of thirty- acres of land, or thereabouts, to be la out into lots. Lib. HS. fol. 34.

B. By this act, 1. The commiſſioners of the ſaid town are empowered, any time before the 1ſt April next, to cauſe thirty- cres of land, or thereabouts, lying on the weſt part of the town, to be ſurveyed and laid out into lots. 2. The ſaid thirty- cres ſo laid out, is declared to be part of Baltimore-town, to all intents and purpoſes, as fully, &c. as if included originally n, and have the ſame immunities and privileges as the reſt of the ſaid town. 3. Any perſons that ſhall build or improve on id 32 acres, &c. after the ſame ſhall be laid out into lots, as by former laws relating to the ſaid town is directed, and pur- the ſame from the proprietors, ſhall have an abſolute eſtate of inheritance in any lot ſo to be built on and purchaſed. 4. But rchaſers of any part of the ſaid 32 acres are hereby left to agree with the proprietors thereof, and not otherwiſe to have tle to any of the ſaid new lots. 5. Saving to the crown, the lord proprietor, all bodies politic and corporate, and all others entioned in this act, their ſeveral and reſpective rights.

CHAP. XXI.

CT for raiſing a duty of three halfpence ſterling per hogſhead on all tobacco exported out of province, for the uſe of the governor. Lib. HS. fol. 36.

Till the 1ſt December, 1754. Expired.

CHAP. XXII.

CT for amending the ſtaple of tobacco, for preventing frauds in his majeſty's cuſtoms, and for limitation of officers fees. Lib. HS. fol. 37.

continue in force till the 1ſt December, 1758. Farther continued by 1758, ch. 7, until the 1ſt December, 1763, at which t expired, together with its ſupplementary and other dependent laws, viz. 1754, ch. 1 and 3, 1755, ch. 7, 1757, ch. 31, ch. 12, 1760, ch. 7 and 14, and 1762, ch. 20 and 26.

CHAP. XXIII.

CT to cut off the entail of part of a tract of land called Charley, now lying in Charles and ce-George's counties, and to entail lands of equal value in lieu thereof. Lib. HS. fol. 107. rivate Act.

CHAP. XXIV.

CT to repeal an act, entitled, * An act for the confirmation of the lands therein mentioned Richard Bennet, Eſquire. Lib. HS. fol. 111. A Private Act. * 1720, ch. 22.

CHAP. XXV.

CT for the veſting and ſettling an eſtate of inheritance, in fee-ſimple, of and in a certain par- or lot of ground in the city of Annapolis, containing one hundred and twenty feet in length, nerly, by an * act of aſſembly of this province, confirmed to Robert Gordon, of the city of An- olis, merchant, on Horatio Samuel Middleton, and his heirs for ever. Lib. HS. fol 113. A vate Act. * 1723, ch. 26.

CHAP. XXVI.

upplementary and explanatory act to an act, entitled, * An act for e more effectual puniſhment of negroes and other ſlaves, and for king away the benefit of clergy from certain offenders, and a ſup- lementary act to an act, entitled, An act to prevent the tumultu- us meetings and other irregularities of negroes and other ſlaves. ib. HS. fol. 115. * 1751, ch. 14.

HEREAS by an act of aſſembly of this province, entitled, * An act for the more effectual puniſhment of negroes and other ſlaves, and for taking away the benefit of clergy from cer- offenders, and a ſupplementary act to an act, entitled, An act to prevent the tumultuous meet- ings Preamble. * 1751, ch. 14, ſection 9.

CHAP. XXVI.

ings and other irregularities of negroes and other ſlaves, and directing the manner of trying ſla made at a ſeſſion of aſſembly begun and held at the city of Annapolis on the fifteenth day of M the year of our Lord one thouſand ſeven hundred and fifty-one, amongſt other things it was ena "that if any ſlave ſhall happen to be ſlain for refuſing to ſurrender him or herſelf, contrary to or in unlawful reſiſting any officer, or other perſon, who ſhall apprehend, or endeavour to appre ſuch ſlave or ſlaves, and ſuch officer or other perſon ſo killing ſuch ſlave as aforeſaid making ance, ſhall be and he is by this act indemnified from any proſecution for ſuch killing aforeſaid:" whereas ſome doubts may poſſibly ariſe about the conſtruction of the ſaid recited clauſe, and whe the perſon ſo killing ſuch ſlave as aforeſaid making reſiſtance ſhall undergo any proſecution for ſame; for the explanation whereof, and to prevent all diſputes or doubts which may ariſe conce ing the ſaid clauſe,

Not to prevent a legal trial, &c.

II. BE IT ENACTED, *by the right honourable the Lord Proprietary, by and with the advice and c of his lordſhip's Governor, and the Upper and Lower Houſes of Aſſembly, and the authority of the ſame,* nothing in the above recited act contained ſhall be conſtrued to indemnify any officer or other pe killing any ſlave or ſlaves reſiſting or refuſing to ſurrender, from undergoing a legal trial, any t contained in the ſaid act to the contrary notwithſtanding, but that it ſhall and may be lawful for perſon, upon his or her trial for killing any ſlave or ſlaves, to give this, and the above recited a evidence, upon not guilty pleaded; and if it ſhall appear upon the evidence, that ſuch killing as a ſaid was done in the lawful execution, and in purſuance of the aforeſaid act, that then ſuch perſo perſons, ſo killing as aforeſaid in purſuance and in the lawful execution of the aforeſaid act, ſha acquitted and diſcharged thereof, and from all penalties, forfeitures and puniſhments for ſuch k as aforeſaid.

Public to pay, &c.

III. AND BE IT ENACTED, That where any perſon or perſons ſhall be proſecuted for killing a ſ or ſlaves reſiſting, as by the ſaid act, entitled, An act for the more effectual puniſhing of negroes other ſlaves, and for taking away the benefit of clergy from certain offenders, and a ſupplemen act to an act, entitled, An act to prevent the tumultuous meetings and other irregularities of neg and other ſlaves, that then and in ſuch caſe the public of this province ſhall pay ſuch perſon or ſons all his coſts and charges which he or they ſhall be at by means of any ſuch proſecution.

CHAP. XXVII.

Paſſed 17th of Nov. 1753.

An ACT to prevent injuring the navigation to Baltimore-town, a to the inſpecting-houſe at Elk-Ridge landing, on Patapſco ri

Lib. HS. fol. 117.

Preamble.

WHEREAS it is repreſented to this general aſſembly, that by opening and digging into banks of Patapſco river for iron ſtone, large quantities of earth and ſand are thrown waſhed into the ſaid river, and navigable branches thereof, by which practice (if continued) channel of the ſaid river, and navigable branches aforeſaid, will, in a ſhort time, be ſo filled up, veſſels of any burthen muſt be prevented from coming into the beſt and moſt ſecure harbours in ſaid river, and the navigation thereof greatly obſtructed; for remedy of which evil, it is prayed it may be enacted,

No earth, &c. to be thrown into the river, &c.

II. AND BE IT ENACTED, *by the right honourable the Lord Proprietary, by and with the advice and of his lordſhip's Governor, and the Upper and Lower Houſes of Aſſembly, and the authority of the ſame,* from and after the end of this preſent ſeſſion of aſſembly, it ſhall not be lawful for any perſon or ſons to put or lay, or to permit or allow his or their ſervants or ſlaves, or any ſervants or ſlaves his or their direction, to carry, put or throw into the ſaid river, or any of the navigable bran thereof, any earth, ſand or dirt, or to lay or put on the beach or ſhore of the ſaid river below mon high-water mark any earth, ſand or dirt, unleſs ſuch earth, ſand or dirt, be firſt well ſecure ſtone walls, dove-tailed log pens, or otherwiſe, ſo that no ſuch earth, ſand or dirt, may waſh the ſaid river, or navigable branches thereof, to fill up the channel, or any way injure the navig of the ſaid river, or navigable branches thereof, as aforeſaid; and that every perſon or perſo offending ſhall, for every ſuch offence, forfeit and pay the ſum of five pounds current money, recovered before one magiſtrate, as in caſe of ſmall debts, one moiety of ſuch forfeiture to th of his lordſhip the lord proprietary, for the ſupport of government, the other to him, her or t that will ſue for the ſame.

CH

CHAP. XXVIII.

ACT continuing an act, entitled, * An additional ſupplementary t to the act, entitled, An act for laying out and erecting a town a place called Long Point, on the weſt ſide of North-Eaſt ri-r, in Cæcil county. Lib. HS. fol. 118.

Paſſed 17th of Nov. 1753.
* 1750, ch. 12.

IT ENACTED, *by the right honourable the Lord Proprietary, by and with the advice and conſent of his rdſhip's Governor, and the Upper and Lower Houſes of Aſſembly, and the authority of the ſame*, That of aſſembly of this province, entitled, An additional ſupplementary act to the act, entitled, t for laying out and erecting a town at a place called Long Point, on the weſt ſide of North-ver, in Cæcil county, made at a ſeſſion of aſſembly begun and held at the city of Annapolis the day of May, *anno domini* one thouſand ſeven hundred and fifty, be, and is hereby made per-

Act made perpetual.

ND, to the end that proprietors of water lots may be encouraged to build wharfs, and other iencies, for the better carrying on and promoting of trade in the ſaid town, BE IT FURTHER ED, *by and with the authority, advice and conſent aforeſaid*, That it ſhall and may be lawful for any or perſons having any lot or lots, or part of any lot or lots, next adjoining to the water in s-town aforeſaid, to build and make ſuch improvements as they ſhall think moſt convenient, as to the channel of North-Eaſt river, not exceeding in breadth the water front of ſuch lot or lots, tion or part of ſuch lot or lots, as ſhall belong to the builder of ſuch wharf or wharfs, or other iencies, and ſuch builder or builders ſhall have and enjoy as full and ample right to that part t on as to any other part or parcel of his or their lot or lots.

Encouragement for building wharfs, &c.

PROVIDED ALWAYS, That there ſhall be left ſtreets and alleys convenient to the water for uſe, and alſo that the owners of all ſuch water lots, ſo to be improved, pay the lord proprie-e rent of one penny current money for every acre ſo improved, and ſo in proportion for a r or leſſer quantity.

Proviſo.

CHAP. XXIX.

CT to enable the perſons therein named to levy, aſſeſs and apply, the money therein mention-Lib. HS. fol. 119.

CHAP. XXX.

CT empowering the juſtices of Prince-George's county to levy on the taxable inhabitants of aid county a ſum of tobacco, for the uſes therein mentioned. Lib. HS. fol. 121.

CHAP. XXXI.

T to enable the juſtices of Frederick county for the time being to levy on the taxable inhabi-of the ſaid county a ſum of money for the uſes therein mentioned. Lib. HS. fol. 122.

CHAP. XXXII.

lementary act to the act, entitled, An act empowering the juſtices of Baltimore county court ſſeſs and levy a ſum of current money, and for other purpoſes therein mentioned. Lib. HS. 23.

CHAP. XXXIII.

plementary act to an act, entitled, An act to aid the title of purchaſers of lots in Princeſs-e-town, in Somerſet county. Lib. HS. fol. 124.

CHAP. XXXIV.

T for the relief of Daniel Hull, a languiſhing priſoner in Talbot county gaol. Lib. HS. fol. A Private Act.

CHAP. XXXV.

CT for the relief of John Shubbard, a languiſhing priſoner in Kent county gaol. Lib. HS. 29. A Private Act.

CHAP. XXXVI.

upplementary act to the act, entitled, * An act for the relief of editors in England againſt bankrupts who have imported any oods into this province not accounted for. Lib. HS. fol. 133

* 1704, ch. 29.

T ENACTED, *by the right honourable the Lord Proprietary, by and with the advice and conſent of his dſhip's Governor, and the Upper and Lower Houſes of Aſſembly, and the authority of the ſame*, That nment, aſſurance, conveyance, deed, or any other writing whatſoever, of any goods, chattels,

Aſſignments, &c. not effectual, &c.

CHAP. XXXVI.

tels, effects, debts, lands, tenements or hereditaments whatsoever, that shall at any time hereafter made or executed by any person or persons trading, or that shall hereafter trade, to this prov and that shall reside in Great-Britain, or elsewhere, out of this province, at the time of maki executing such assignment, assurance, conveyance, deed, or other writing whatsoever, shall be of force, virtue or effect, at law or in equity, until the person or persons to whom such assign assurance, conveyance, deed, or other writing whatsoever, shall be made or executed, or his or agent or agents, attorney or attornies in fact, or such other person or persons who shall act by mission or direction from him or them, shall give his or their bond or obligation, with such sec therein as shall be approved of and determined by the chancellor of this province for the time to pay and satisfy all and every the debt and debts which such person or persons, making or exec such assignment, assurance, conveyance, deed or other writing, shall or may owe at the time of tering into such bond or obligation as aforesaid, to all and every person and persons living or re or that shall live or reside, within this province, so far forth as the goods, chattels, effects, d lands, tenements or hereditaments, shall come to the hands or possession of such agent or agents torney or attornies, or other person or persons acting by commission or direction as aforesaid.

Bond, &c. to be lodged, &c.

II. AND BE IT FURTHER ENACTED, That such bond or obligation to be entered into for the pose aforesaid, shall be lodged with the register of the court of chancery of this province for time being, to be by him kept and preserved among the records and proceedings of the said c and that every creditor living and residing within this province, of such person or persons maki executing such assignment, assurance, conveyance, deed or writing as aforesaid, if he shall think shall or may make application to the chancellor of this province for the time being, for the a ment of such bond or obligation to be entered into as aforesaid, and shall or may put the same or obligation in suit against such person or persons to whom such assignment, assurance, convey deed or writing, shall be made or executed, and his or their sureties if need be, in any court of cord within this province, for any neglect or refusal to pay or satisfy unto such creditor such sums of money or tobacco as shall or may be due unto him from such person or persons who make or execute such assignment, assurance, conveyance, deed or writing, at the time when bond or obligation shall be entered into as aforesaid; provided always, that no such bond or ob tion to be given as aforesaid, shall be good and pleadable or admitted in evidence against any p or persons, after the debt or thing in action shall be above three years standing; saving to all pe that shall be under the impediments of infancy, coverture, insanity of mind, imprisonment o yond sea, the full benefit of all such bonds or obligations for the space of three years after such pediment removed.

Duration.

III. This act to continue for three years, and unto the end of the next session of assembly w shall happen after the expiration of the said three years.

Farther continued by 1757, ch. 8, and 1760, ch. 3, for three years, &c. But by 1763, ch. 6, is made perpetual.

CHAP. XXXVII.

An ACT for securing and recovering the money therein mentioned. Lib. HS. fol. 134.

CHAP. XXXVIII.

* 1733, ch. 6.

An additional supplementary act to the act, entitled, * An act for emitting and making cu ninety thousand pounds current money of Maryland in bills of credit. Lib. HS. fol. 135.

CHAP. XXXIX.

An ACT for the speedy and effectual publication of the laws of this province, and for the encou ment of Jonas Green, of the city of Annapolis, printer. Lib. HS. fol. 136.

To be in force till the 20th December, 1755. Expired.

A SESSION of ASSEMBLY begun and held at the CITY of ANNAPOLIS, the 26th day of February, and ended the 9th day of March, in the 3d year of the dominion of the right honourable FREDERICK, abſolute Lord and Proprietary of the provinces of Maryland and Avalon, Lord Baron of Baltimore, &c. *annoque domini* 1754, the following laws were enacted.

HORATIO SHARPE, ESQUIRE, GOVERNOR.

CHAP. I.

A ſupplementary act to the act, entitled, (a) An act for amending the ſtaple of tobacco, for preventing frauds in his majeſty's cuſtoms, and for the limitation of officers fees. Lib. HS. fol. 140. Paſſed 9th of March. 1754.

(a) 1753, ch. 22, which expired the 1ſt December, 1763.

CHAP. II.

AN ACT empowering the juſtices of Frederick county court to levy on the taxable inhabitants of the ſaid county a ſum of current money for the uſes therein mentioned. Lib. HS. fol. 141.

A SESSION of ASSEMBLY begun and held at the CITY of ANNAPOLIS, the 8th day of May, and ended the 30th day of the ſame month, in the 4th year of the dominion of the right honourable FREDERICK, abſolute Lord and Proprietary of the provinces of Maryland and Avalon, Lord Baron of Baltimore, &c. *annoque domini* 1754, the following laws were enacted.

HORATIO SHARPE, ESQUIRE, GOVERNOR.

CHAP. III.

An additional ſupplementary act to the act, entitled, (b) An act for amending the ſtaple of tobacco, for preventing frauds in his majeſty's cuſtoms, and for the limitation of officers fees. Lib. HS. fol. 142. Paſſed 30th of May, 1754.

(b) 1753, ch. 22, which expired the 1ſt December, 1763.

CHAP. IV.

AN ACT to make it penal to forge or counterfeit the bills of credit of Pennſylvania, New-York, or Weſt-Jerſeys, or the three lower counties on Delaware, called New-Caſtle, Kent and Suſſex, or to utter or tender the ſame in payment within this province, knowing them to be ſuch. Lib. HS. fol. 145.

To be in force three years, &c. Expired.

CHAP. V.

AN ACT for building a priſon in Frederick county. Lib. HS. fol. 146.

CHAP. VI.

Paſſed 30th of May, 1754. An ACT to enable the juſtices of St. Mary's county to levy a quantity of tobacco on the taxa inhabitants of King and Queen pariſh, in the ſaid county, for the purpoſes therein mentio Lib. HS. fol. 147.

CHAP. VII.

An ACT empowering the rector, veſtrymen and churchwardens, of Port-Tobacco pariſh, in Ch county, for the time being, to purchaſe a quantity, not exceeding two acres of land, and ther to build a chapel of eaſe in the ſaid pariſh, and to empower the juſtices of the ſaid county to l on the taxable inhabitants of the ſaid pariſh a quantity of tobacco for the uſes therein menti Lib. HS. fol. 148.

CHAP. VIII.

* 1753, ch. 39. A Supplementary act to an act, entitled, * An act for the ſpeedy and effectual publication of laws of this province, and for the encouragement of Jonas Green, of the city of Annapolis, prin Lib. HS. fol. 149.

At a SESSION of ASSEMBLY begun and held at the CITY ANNAPOLIS, the 17th, and ended the 25th day of July, in t 4th year of the dominion of the right honourable FREDERICK, ſolute Lord and Proprietary of the provinces of Maryland Avalon, Lord Baron of Baltimore, &c. *annoque domini* 1754, following laws were enacted.

HORATIO SHARPE, ESQUIRE, GOVERNOR.

CHAP. IX.

Paſſed 25th of July, 1754. An ACT for his majeſty's ſervice. Lib. HS. fol. 152. Expired 26th November, 1763.

CHAP. X.

An ACT continuing an act, entitled, (a) An act for puniſhment of horſe-ſtealers, and other offen Lib. HS. fol. 158.

(a) 1744, ch. 20, hereby continued three years, &c.

CHAP. XI.

An ACT continuing an act, entitled, (b) An act for deſtroying of wolves in Frederick co Lib. HS. fol. 159.

(b) 1751, ch. 3, hereby continued three years, &c.

CHAP. XII.

An ACT continuing an act, entitled, (c) An act for the more effectual puniſhment of certai fenders, and for taking from them the benefit of clergy. Lib. HS. fol. 159.

(c) 1737, ch. 2, hereby continued three years, &c.

CHAP. XIII.

An ACT continuing an act, entitled, (d) An act to enable the ſeveral and reſpective county c within this province to remove ſome of the county records and papers from the public o Lib. HS. fol. 160.

(d) 1748, ch. 7, hereby continued three years, &c.

CHAP. XIV.

An ACT continuing an act, entitled, (e) A ſupplementary act to an act, entitled, An act f an impoſition on negroes, and ſeveral ſorts of liquors imported, and alſo on Iriſh ſervants, to vent the importing too great a number of Iriſh papiſts into this province. Lib. HS. fol. 160.

(e) 1735, ch. 6, hereby continued three years, &c.

CH

CHAP. XV.

CT continuing an act, entitled, (a) An act to make the teſtimony of convicted perſons legal Paſſed 25th of July, 1754.
nſt convicted perſons. Lib. HS. fol. 161.

(a) 1751, ch. 11, hereby continued three years, &c.

CHAP. XVI.

CT continuing an act, entitled, (b) An act to exempt perſons appearing at muſters from arreſts vil caſes. Lib. HS. fol. 161.

(b) 1748, ch. 1, hereby continued three years, &c.

CHAP. XVII.

CT continuing an act, entitled, (c) An additional ſupplementary act to the act, entitled, An elating to ſervants and ſlaves. Lib. HS. fol. 161.

(c) 1748, ch. 19, hereby continued three years, &c.

CHAP. XVIII.

CT continuing an act, entitled, (d) An additional and explanatory act to the act, entitled, An empowering the commiſſioners of the county courts to levy and raiſe tobacco to defray the ſſary charges of their counties and pariſhes. Lib. HS. fol. 162.

(d) 1748, ch. 20, hereby continued three years, &c.

CHAP. XIX.

CT continuing an act, entitled, (e) An act for the more effectual puniſhment of negroes and r ſlaves, and for taking away the benefit of clergy from certain offenders, and a ſupplementary o an act, entitled, An act to prevent the tumultuous meeting, and other irregularities of ne- s and other ſlaves, and directing the manner of trying ſlaves. Lib. HS. fol. 162.

(e) 1751, ch. 14, hereby continued three years, &c.

CHAP. XX.

CT continuing an act, entitled, (f) An act to prevent certain evils and inconveniencies at- ing the ſale of ſtrong liquors, and running of horſe-races, near the yearly meetings of the le called Quakers, and to prevent the tumultuous concourſe of negroes and other ſlaves during ſaid meetings, and alſo one other act, entitled, (g) An act to amend and explain an act, en- d, An act to prevent certain evils and inconveniencies attending the ſale of ſtrong liquors, unning of horſe-races, near the yearly meetings of the people called Quakers, and to prevent umultuous concourſe of negroes and other ſlaves during the ſaid meetings. Lib. HS. fol.

(f) 1747, ch. 17. (g) 1752, ch. 14, hereby continued three years, &c.

SESSION of ASSEMBLY begun and held at the CITY of NNAPOLIS, the 12th, and ended the 24th day of December, the 4th year of the dominion of the right honourable FREDE- CK, abſolute Lord and Proprietary of the provinces of Maryland d Avalon, Lord Baron of Baltimore, &c. *annoque domini* 1754, e following law was enacted.

HORATIO SHARPE, ESQUIRE, GOVERNOR.

CHAP. XXI.

T for taking and detaining able-bodied men for his majeſty's ſervice. Lib. HS. fol. 165. Paſſed 24th of Dec. 1754.

At a SESSION of ASSEMBLY begun and held at the CITY of ANNAPOLIS, the 22d day of February, and ended the 26th day of March, in the 4th year of the dominion of the right honorable FREDERICK, abſolute Lord and Proprietary of the province of Maryland and Avalon, Lord Baron of Baltimore, &c. *annoque domini* 1755, the following laws were enacted.

HORATIO SHARPE, ESQUIRE, GOVERNOR.

CHAP. I.

Paſſed 26th of March, 1755. An ACT directing the commiſſioners of the currency office ſpeedily to call in the intereſt bonds and other ſecurities, and all monies due on funds payable into the ſaid office. Lib. fol. 168.

CHAP. II.

An ACT for the continuance of proceſs in Baltimore county court. Lib. HS. fol. 170.

CHAP. III.

An ACT to empower and direct the clerk of Baltimore county court to record among the ſaid county records a deed of bargain and ſale from Iſaac Johns, deceaſed, to Robert Adair. Lib. fol. 171. A Private Act.

CHAP. IV.

An ACT to aid a defective entry of the late deputy-clerk of Prince-George's county in the recording of a deed of bargain and ſale from John Wheeler to William Hutchinſon. Lib. HS. fol. A Private Act.

CHAP. V.

An ACT for regulating the rates of carriage, and quartering ſoldiers in public houſes within province for his majeſty's ſervice. Lib. HS. fol. 175.

To be in force for ſix months, and to the end of the next ſeſſion of aſſembly. Expired.

CHAP. VI.

An ACT to prevent the people of this province from ſupplying the French, or their Indians with ammunition, warlike ſtores, or proviſions of any kind. Lib. HS. fol. 176.

To be in force till 20th June, 1755. Expired.

CHAP. VII.

An ACT for the relief of inſpectors and owners of tobacco, and others, who have ſuffered by of extraordinary rains and high tides, and other defects in the (a) inſpection law. Lib. fol. 180.

(a) 1753, ch. 22, which expired the 1ſt December, 1763.

SESSION of ASSEMBLY, begun and held at the CITY of NNAPOLIS, the 23d day of June, and ended the 8th day of ly, in the 5th year of the dominion of the right honourable EDERICK, abſolute Lord and Proprietary of the Provinces of aryland and Avalon, Lord Baron of Baltimore, &c. *annoque domini* 755, the following laws were enacted.

HORATIO SHARPE, ESQUIRE, GOVERNOR.

CHAP. VIII.

CT to empower Anne Chambers, widow, to ſell certain lands which Samuel Chambers, late nne-Arundel county, died poſſeſſed of, in fee-ſimple, for payment of his debts. Lib. HS. 183. A Private Act. Paſſed 8th of July, 1755.

CHAP. IX.

CT continuing an act, entitled, (a) An act for aſcertaining the allowance of petit jurors at- ing the provincial court, to limit coſts with reſpect to witneſſes, and for ſettling their allow- as to itinerant charges. Lib. HS. fol. 185.

(a) 1749, ch. 2, hereby continued three years, &c.

CHAP. X.

CT continuing an act, entitled, (b) An act for the deſtroying ſquirrels and crows in the ſeve- counties therein mentioned. Lib. HS. fol. 186.

(b) 1752, ch. 9, hereby continued three years, &c.

CHAP. XI.

CT continuing an act, entitled, (c) An act for the relief of ſuch perſons as cannot find ſurety their appearance to teſtify as witneſs againſt any perſon arreſted, accuſed or proſecuted for any inal matter. Lib. HS. fol. 187.

(c) 1752, ch. 13, hereby continued three years, &c.

CHAP. XII.

CT continuing an act, entitled, (d) An act to prevent diſabled and ſuperannuated ſlaves being free, or the manumiſſion of ſlaves by any laſt will or teſtament. Lib. HS. fol. 187.

(d) 1752, ch. 1, hereby continued three years, &c.

CHAP. XIII.

CT continuing an act, entitled, (e) An act for the more effectual deſtroying ſquirrels and ws in the counties of Kent, Queen-Anne's and Talbot, and for deſtroying red foxes in the ſaid nties. Lib. HS. fol. 188.

(e) 1749, ch. 9, hereby continued three years, &c.

CHAP. XIV.

CT for purchaſing two acres of land in the upper part of Worceſter pariſh, in Worceſter nty, and building a chapel of eaſe thereon. Lib. HS. fol. 188.

CHAP. XV.

CT for building a church in St. Mary's White Chapel pariſh, in Dorcheſter county. Lib. HS. 189.

CHAP. XVI.

CT to prevent the exportation or carrying out of this province ammunition, warlike ſtores, roviſions of any kind, towards ſupplying the French or their allies. Lib. HS. fol. 190.

be in force till the 6th January, 1756. Revived and continued 1756, ch. 1, till the 1ſt March, 1757, and by 1756, ch. 24, ued till the 10th May, 1757. Expired.

CHAP.

CHAP. XVII.

Paſſed 8th of July, 1755. An ACT for the relief of Thomas Lambden and Nathan Brittingham, languiſhing priſoners in W ceſter county gaol, Thomas Todd, Jaſper Hall and Daniel Wells, languiſhing priſoners in A Arundel county gaol, Benjamin Berry, a languiſhing priſoner in Prince-George's county gaol, Thomas Reynolds, a languiſhing priſoner in Frederick county gaol, and Edward Dogan, a guiſhing priſoner in Baltimore county gaol. Lib. HS. fol. 193. A Private Act.

CHAP. XVIII.

An ACT to empower John Greenriff Howard, of Baltimore county, planter, to dock the entail two hundred and forty-nine acres of land, part of a tract of land called Harborough, lying Anne-Arundel, and to ſell and convey the ſame in fee-ſimple, and to entail other lands of equ value in lieu thereof. Lib. HS. fol. 198. A Private Act.

1756. At a SESSION of ASSEMBLY begun and held at the CITY ANNAPOLIS, the 23d day of February, in the 5th year of dominion of the right honourable FREDERICK, abſolute Lord a Proprietary of the provinces of Maryland and Avalon, Lord Ba of Baltimore, &c. and ended the 22d day of May, in the 6th y of his Lordſhip's dominion, *annoque domini* 1756, the follow laws were enacted.

HORATIO SHARPE, ESQUIRE, GOVERNOR.

CHAP. I.

Paſſed 1ſt of March, 1756. * 1755, ch. 16. An ACT reviving and continuing an act, entitled, * An act to prevent the exportation or car out of this province ammunition, warlike ſtores, or proviſions of any kind, towards ſupplying French or their allies. Lib. HS. fol. 203.

CHAP. II.

An ACT for the adjournment and continuance of Talbot and Dorcheſter county courts. Lib. fol. 203.

CHAP. III.

Paſſed 13th of March, 1756. An ACT for the adjournment and continuance of Frederick county court. Lib. HS. fol. 204.

CHAP. IV.

Paſſed 22d of March, 1756. An ACT for the adjournment and continuance of Queen-Anne's county court. Lib. HS. fol.

CHAP. V.

An ACT for granting a ſupply of forty thouſand pounds for his majeſty's ſervice, and ſtriking th four thouſand and fifteen pounds ſix ſhillings thereof in bills of credit, and raiſing a fund for ing the ſame. Lib. HS. fol. 207. Expired 26th November, 1763.

CHAP. VI.

Paſſed 22d of May, 1756. * 1715, ch. 14. An ACT for the continuance of proceſs in Cæcil county March court, and to cure ſome defects may have happened in the proceedings of the ſeveral county courts of this province, and for explaining an act of aſſembly, entitled, * An act appointing certain days on which the ſeveral reſpective county courts within this province are to be held. Lib. HS. fol. 253.

CHAP. VII.

* 1748, ch. 6. A Supplementary act to the act, entitled, * An act empowering the juſtices of Worceſter coun levy on the taxable inhabitants of All-Hallows pariſh a ſum of tobacco, and for other pu therein mentioned. Lib. HS. fol. 257.

CH

CHAP. VIII.

CT empowering the juſtices of Somerſet county to levy, not exceeding twenty thouſand pounds obacco, upon the taxable inhabitants of the ſaid county, for the uſe therein mentioned. Lib. fol. 258. Repealed September, 1756, ch. 20. Paſſed 22d of May, 1756.

CHAP. IX.

CT for quieting the differences that have ariſen and may hereafter ariſe between the inhabi- of this province and the ſeveral Indian nations, and for puniſhing treſpaſſes committed on lands. Lib. HS. fol. 260.

CHAP. X.

CT continuing an act, entitled, (a) An act directing the manner of puniſhing fornication and ery before a ſingle juſtice of the peace out of court. Lib. HS. fol. 263.

(a) 1752, ch. 2, hereby continued three years, &c.

CHAP. XI.

CT for the relief of certain languiſhing priſoners in the ſeveral county gaols therein mentioned. HS. fol. 264. A Private Act.

CHAP. XII.

upplementary act to the act, entitled, * An act for repairing the blic roads in this province. Lib. HS. fol. 270.

* 1753, ch. 16.

HEREAS it is repreſented to this general aſſembly, that ſeveral perſons, in evaſion of an act of aſſembly, entitled, An act for repairing the public roads in this province, made at a ſeſſion bly begun and held at the city of Annapolis the ſecond day of October, in the year of our ne thouſand ſeven hundred and fifty-three, have, ſince the paſſing the ſaid act, built mills, and dams for ſuch mills, on branches or runs below the places where public or main roads croſſed anches or runs, by means whereof the waters are ſo ſtopped and interrupted in their courſe public or main roads are become unpaſſable, to the great prejudice of all thoſe who have oc- o paſs and uſe ſuch roads; Preamble.

E IT THEREFORE ENACTED, *by the right honourable the Lord Proprietary, by and with the advice nt of his lordſhip's Governor, and the Upper and Lower Houſes of Aſſembly, and the authority of the* hat where any perſon or perſons have, ſince the ſecond day of October, in the year of our ne thouſand ſeven hundred and fifty-three, built, or ſhall hereafter build or erect, any mill branch or run below the places where public or main roads did or ſhall croſs ſuch branch or d by the building and erecting of ſuch mill, or the dam for the ſame, the public or main road croſſed or ſhall croſs the branch or run as aforeſaid is or ſhall be any way hurt or injured, or age therein any way obſtructed or rendered difficult or incommodious, ſuch perſon or perſons, wner, poſſeſſor or occupier, of ſuch mill or mills, ſhall, and they are hereby obliged, by the of October next, where ſuch mill or mills have already been built, or within three months e building of any other mill or mills ſtopping or impeding the courſe of the water as afore- make good and ſufficient bridges and cauſeways, twelve feet wide at the leaſt, over the ſaid s or runs, at the places where the public or main roads croſſed ſuch branches as aforeſaid, ſame bridges maintain and keep in good repair, under the penalty of twenty pounds cur- ney, and the like ſum for every two months neglect thereafter, one half thereof to be ap- wards defraying the charge of the county where ſuch neglect ſhall happen, the other half to them that ſhall inform or ſue for the ſame, to be recovered by action of debt, bill, plaint or ion, in any court of record within this province, wherein no eſſoin, protection or wager of more than one imparlance, ſhall be allowed. Owners of mills to make bridges, &c.

ROVIDED, That ſuch perſon or perſons, owner or owners, poſſeſſor or occupier of ſuch mill ſhall not be obliged to ſend his or their taxable perſons, who ſhall reſide in the precinct of lic road, to work on any part of ſuch road except on ſuch bridge and cauſeway as aforeſaid. Proviſo.

his act to be in force during the continuance of the above recited act, and no longer. Duration.

r continued by 1758, ch. 14, and 1762, ch. 17. Further continued with the principal act, 1753, ch. 16, to 30th October, and in the ſame manner. For the ſeveral continuances ſee the principal act, which was by 1794, ch. 52, and other acts, as to ſeveral counties, and is now in force only in the counties of Saint-Mary's, Calvert, Charles and Dorcheſter.

CHAP. XIII.

for preventing Indians diſaffected to the Britiſh intereſt in America from coming into this e as ſpies, or on any other evil deſign. Lib. HS. fol. 272.

CHAP.

CHAP. XIV.

Passed 22d of May, 1756. An ACT for the ſpeedy and effectual publication of the laws of this province, and for the encouragement of Jonas Green, of the city of Annapolis, printer. Lib. HS. fol. 274.

To be in force till the 20th December, 1757. Continued by 1757, ch. 16, till the 20th December, 1758, and then expired with its ſupplementary act of 1756, ch. 22.

CHAP. XV.

An ACT to empower the juſtices of the ſeveral county courts to make proviſion for the late inhabitants of Nova-Scotia, and for regulating their conduct. Lib. HS. fol. 279.

To be in force one year. Continued by 1757, ch. 7, till the 10th May, 1758. Expired.

CHAP. XVI.

An ACT for the aſſeſſment and payment of the public charge of this province. Lib. HS. fol. 2[illegible]

CHAP. XVII.

An ACT to veſt certain entailed lands therein mentioned in the female heirs of Leonard Hol[illegible] gentleman, in fee-ſimple. Lib. HS. fol. 285. A Private Act.

CHAP. XVIII.

An ACT to empower and direct the clerk of Anne-Arundel county to record among the ſaid co[illegible] records a deed of bargain and ſale from Thomas Larkin, deceaſed, to John Jordain, dece[illegible] Lib. HS. fol. 287. A Private Act.

At a SESSION of ASSEMBLY begun and held at the CITY of ANNAPOLIS, the 14th day of September, and ended the [illegible] day of October, in the 6th year of the dominion of the right honourable FREDERICK, abſolute Lord and Proprietary of the provinces of Maryland and Avalon, Lord Baron of Baltimore, &c. *annoque domini* 1756, the following laws were enacted.

HORATIO SHARPE, ESQUIRE, GOVERNOR.

CHAP. XIX.

Paſſed 9th of October, 1756. An ACT for his majeſty's ſervice, and further defence and ſecurity of this province. Lib. [illegible] fol. 291.

CHAP. XX.

An ACT empowering the juſtices of Somerſet county to levy, not exceeding twenty thouſand pounds of tobacco, upon the taxable inhabitants of ſaid county, to be applied to the purpoſe therein directed. Lib. HS. fol. 296.

CHAP. XXI.

An ACT for the relief of ſundry of the inhabitants of Charles county. Lib. HS. fol. 298.

CHAP. XXII.

A Supplementary act to the act, entitled, (a) An act for the ſpeedy and effectual publication of the laws of this province, and for the encouragement of Jonas Green, of the city of Annapolis, printer. Lib. HS. fol. 299.

(a) 1756, ch. 14, which expired the 20th December, 1758.

CHAP. XXIII.

* 1756, ch. 5. A Supplementary act to an act, entitled, * An act for granting a ſupply of forty thouſand pounds for his majeſty's ſervice, and ſtriking thirty-four thouſand and fifteen pounds ſix ſhillings thereof in bills of credit, and raiſing a fund for ſinking the ſame. Lib. HS. fol. 301.

CH[illegible]

CHAP. XXIV.

T for further continuing an act, entitled, (a) An act to prevent the exportation or carrying f this province ammunition, warlike ſtores, or proviſions of any kind, towards ſupplying the ch, or their allies. Lib. HS. fol. 303. Paſſed 9th of October, 1756.

(a) 1755, ch. 16, hereby continued till the 10th May, 1757.

SESSION of ASSEMBLY begun and held at BALTIMORE-OWN, in Baltimore county, on Friday the eighth day of April, the ſixth year of the dominion of the right honourable FREDE-CK, abſolute Lord and Proprietary of the provinces of Maryland d Avalon, Lord Baron of Baltimore, &c. and ended the 9th y of May following, in the 7th year of his lordſhip's dominion, *noque domini* 1757, the following laws were enacted. 1757.

HORATIO SHARPE, ESQUIRE, GOVERNOR.

CHAP. I.

T for his majeſty's ſervice, and the more immediate defence and protection of the frontier bitants of this province. Lib. HS. fol. 305. Paſſed 9th of May, 1757.

To continue in force till the 25th December, 1757. Expired.

CHAP. II.

T continuing an act, entitled, (b) An act for the advancement of juſtice. Lib. HS. fol. 316.

(b) 1753, ch. 2, hereby continued three years, &c.

CHAP. III.

T continuing an act, entitled, (c) An act for relieving the inhabitants of this province from aggrievances in the proſecution of ſuits at law, and for continuing the (d) ſupplementary act to. Lib. HS. fol. 317.

(c) 1714, ch. 4. (d) 1728, ch. 24. Hereby continued three years, &c.

CHAP. IV.

T continuing an act, entitled, (e) An act to remedy ſome evils relating to ſervants. Lib. fol. 318.

(e) 1750, ch. 5, hereby continued three years, &c.

CHAP. V.

T continuing an act, entitled, (f) A ſupplementary act to the act, entitled, An act aſcer-g the height of fences, to prevent the evil occaſioned by the multitude of horſes, and re-ing horſe-rangers within this province, and to redreſs the great evil accruing to this province e multitude of uſeleſs horſes, mares and colts, that run in the woods. Lib. HS. fol. 319.

(f) 1750, ch. 25, hereby continued three years, &c.

CHAP. VI.

T continuing an act, entitled, (g) An act for the gauge of barrels for pork, beef, pitch, tar, ntine, and tare of barrels for flour or bread. Lib. HS. fol. 319.

(g) 1745, ch. 15, hereby continued three years, &c.

CHAP. VII.

T continuing an act, entitled, (h) An act to empower the juſtices of the ſeveral county s to make proviſion for the late inhabitants of Nova-Scotia, and for regulating their conduct. HS. fol. 320.

(h) 1756, ch. 15, hereby continued till the 10th May, 1758. Expired.

CHAP. VIII.

Passed 9th of May, 1757. An ACT continuing an act, entitled, (a) A supplementary act to the act, entitled, An act for relief of creditors in England againſt bankrupts who have imported goods into this province accounted for. Lib. HS. fol. 321.

(a) 1753, ch. 36, hereby continued three years, &c.

CHAP. IX.

An ACT continuing an act, entitled, (b) An act to prevent maſters of ſhips and veſſels from clandeſtinely carrying ſervants and ſlaves, or perſons indebted, out of this province. Lib. HS. fol. 322.

(b) 1753, ch. 9, hereby continued three years, &c.

CHAP. X.

An ACT continuing an act, entitled, (c) An act to prevent perſons from ſecreting boats, flats or other veſſels, drove by ſtreſs of weather, or otherwiſe, from landings or moorings. Lib. HS. fol. 322.

(c) 1753, ch. 10, hereby continued three years, &c.

CHAP. XI.

An ACT continuing an act, entitled, (d) An act for the ſpeedy recovery of ſmall debts out of court before one juſtice of the peace. Lib. HS. fol. 323.

(d) 1753, ch. 13, hereby continued three years, &c.

CHAP. XII.

An ACT for leaſing out part of the priſon land in Dorcheſter county. Lib. HS. fol. 324.

CHAP. XIII.

An ACT for relief of ſundry inhabitants of All-Hallows pariſh, in Worceſter county. Lib. HS. fol. 325.

CHAP. XIV.

An ACT for the relief of ſundry inhabitants of this province who have had their ſervants enlisted into his majeſty's ſervice. Lib. HS. fol. 326.

To be in force three years. Expired 9th May, 1760.

CHAP. XV.

An ACT for the relief of certain languiſhing priſoners in the ſeveral county gaols therein mentioned. Lib. HS. fol. 327. A Private Act.

CHAP. XVI.

An ACT for the ſpeedy payment of ſundry perſons therein mentioned. Lib. HS. fol. 331. Private Act.

CHAP. XVII.

An ACT to prevent the exportation or carrying out of this province ammunition, warlike ſtores, proviſions of any kind, towards ſupplying the French, or their allies. Lib. HS. fol. 333.

To continue in force till the laſt day of Auguſt, 1757. Expired.

At a SESSION of ASSEMBLY begun and held at the CITY of ANNAPOLIS, on Wedneſday, the 28th day of September, and ended the 16th day of December, in the 7th year of the dominion of the right honourable FREDERICK, abſolute Lord and Proprietary of the provinces of Maryland and Avalon, Lord Baron of Baltimore, &c. *annoque domini* 1757, the following laws were enacted.

HORATIO SHARPE, ESQUIRE, GOVERNOR.

CHAP. XVIII.

Passed 16th of Dec. 1757. A Supplementary act to an act, entitled, * An act to enable the juſtices of Baltimore county court to aſſeſs and levy on the taxable inhabitants of St. George's pariſh, in that county, a ſum of money for the uſes therein mentioned. Lib. HS. fol. 338.

* 1750, ch. 7.

CHA

CHAP. XIX.

CT continuing an act, entitled, (a) An additional and explanatory act to the act, entitled, act empowering the commiſſioners of the county courts to levy and raiſe tobacco to defray the ſſary charges of their counties and pariſhes. Lib. HS. fol. 339. Paſſed 16th of Dec. 1757.

(a) 1748, ch. 20, hereby continued three years, &c.

CHAP. XX.

CT continuing an act, entitled, (b) An act for deſtroying wolves in Frederick county. Lib. fol. 339.

(b) 1751, ch. 3, hereby continued three years, &c.

CHAP. XXI.

CT continuing an act, entitled, (c) An act to prevent certain evils and inconveniencies at- ng the ſale of ſtrong liquors, and running of horſe-races, near the yearly meetings of the peo- alled Quakers, and to prevent the tumultuous concourſe of negroes and other ſlaves during the meetings, and alſo one other act, entitled, (d) An act to amend and explain an act, entitled, act to prevent certain evils and inconveniencies attending the ſale of ſtrong liquors, and run- of horſe-races, near the yearly meetings of the people called Quakers, and to prevent the tu- uous concourſe of negroes and other ſlaves during the ſaid meetings. Lib. HS. fol. 340.

(c) 1747, ch. 17. (d) 1752, ch. 14. Hereby continued three years, &c.

CHAP. XXII.

CT continuing an act, entitled, (e) A ſupplementary act to an act, entitled, An act laying an ition on negroes, and ſeveral ſorts of liquors imported, and alſo on Iriſh ſervants, to prevent mporting too great a number of Iriſh papiſts into this province. Lib. HS. fol. 340.

(e) 1735, ch. 6, hereby continued three years, &c.

CHAP. XXIII.

CT continuing an act, entitled, (f) An act to enable the ſeveral and reſpective county clerks n this province to remove ſome of the county records and papers from the public offices. HS. fol. 341.

(f) 1748, ch. 7, hereby continued three years, &c.

CHAP. XXIV.

T continuing an act, entitled, (g) An act for the more effectual puniſhment of certain offend- nd for taking from them the benefit of clergy. Lib. HS. fol. 342.

(g) 1737, ch. 2, hereby continued three years, &c.

CHAP. XXV.

T continuing an act, entitled, (h) An additional ſupplementary act to the act, entitled, An lating to ſervants and ſlaves. Lib. HS. fol. 342.

(h) 1748, ch. 19, hereby continued three years, &c.

CHAP. XXVI.

T continuing an act, entitled, (i) An act for puniſhment of horſe-ſtealers, and other of- s. Lib. HS. fol. 343.

(i) 1744, ch. 20, hereby continued three years, &c.

CHAP. XXVII.

T continuing an act, entitled, (k) An act for the more effectual puniſhment of negroes and laves, and for taking away the benefit of clergy from certain offenders, and a ſupplementary an act, entitled, An act to prevent the tumultuous meeting and other irregularities of ne- nd other ſlaves, and directing the manner of trying ſlaves. Lib. HS. fol. 343.

(k) 1751, ch. 14, hereby continued three years, &c.

CHAP. XXVIII.

continuing an act, entitled, (l) An act to exempt perſons appearing at muſters from in civil caſes. Lib. HS. fol. 344.

(l) 1748, ch. 1, hereby continued three years, &c.

CHAP. XXIX.

continuing an act, entitled, (m) An act to make the teſtimony of convicted perſons legal convicted perſons. Lib. HS. fol. 344.

(m) 1751, ch. 11, hereby continued three years, &c.

CHAP. XXX.

Paſſed 16th of Dec. 1757. An ACT to prohibit raiſing of ſwine and geeſe in Frederick-town, in Frederick county. Lib. fol. 345.

CHAP. XXXI.

An ACT for ſuppreſſing Plumb Point warehouſe, in Calvert county. Lib. HS. fol. 345.

CHAP. XXXII.

An ACT to empower Suſannah Riſteau, widow and adminiſtratrix of Talbot Riſteau, late of more, deceaſed, to ſell the houſe and lands therein mentioned, for the payment of the the ſaid Talbot Riſteau. Lib. HS. fol. 346. A Private Act.

CHAP. XXXIII.

An ACT continuing an act, entitled, (a) An act for the ſpeedy and effectual publication of the of this province, and for the encouragement of Jonas Green, of the city of Annapolis, Lib. HS. fol. 348.

(a) 1756, ch. 14, hereby continued till the 20th December, 1758.

CHAP. XXXIV.

* 1746, ch. 11. An additional ſupplementary act to the act, entitled, * An act for iſſuing and taking out of the of the commiſſioners or truſtees appointed for emitting bills of credit, eſtabliſhed by act of bly, the ſum of four thouſand five hundred pounds current money, for encouragement of ſuch bodied free men as ſhall voluntarily enliſt themſelves into his majeſty's ſervice for the intend pedition againſt Canada, and for maintaining and conveying them to the place of rendezv alſo for replacing of the ſaid ſum, and for the better regulating ordinaries and ordinary-k and for other purpoſes therein mentioned. Lib. HS. fol. 348.

To be in force for three years, and thence to the end of the next ſucceeding ſeſſion. Expired the 24th April, 1761.

1758. At a SESSION of ASSEMBLY begun and held at the City ANNAPOLIS, on Tueſday, the 28th day of March, in the year of the dominion of the right honourable FREDERICK, abſo Lord and Proprietary of the provinces of Maryland and Ar Lord Baron of Baltimore, &c. and ended on the 13th day of following, in the 8th year of his lordſhip's dominion, *annoq mini* 1758, the following laws were enacted.

HORATIO SHARPE, ESQUIRE, GOVERNOR.

CHAP. I.

Paſſed 31ſt of March, 1758. An ACT for encouragement of a party of Cherokee Indians which have been ſome time on the tiers of this province, and for payment of the reaſonable expences of their interpreter a ductor. Lib. HS. fol. 356.

CHAP. II.

Paſſed 1ſt of May, 1758. * 1750, ch. 7. An aiding ſupplementary act to an act, entitled, * A ſupplementary act to an act, entitled, to enable the juſtices of Baltimore county court to aſſeſs and levy on the taxable inhabitan George's pariſh in that county a ſum of money for the uſes therein mentioned. Lib. 357.

CHAP. III.

Paſſed 13th of May, 1758. An ACT to make it penal to forge or counterfeit the bills of credit of Virginia, Pennſylvania York, Eaſt or Weſt Jerſeys, or the three lower counties on Delaware, called New-Caſtle and Suſſex, or to utter or tender the ſame in payment within this province, knowing th ſuch. Lib. HS. fol. 359.

To continue for three years, and to the end of the next ſeſſion of aſſembly. Expired the 24th April, 1761.

CHAP. IV.

CT relating to guardians and orphans. Lib. HS. fol. 360. Passed 13th of May, 1758.

r three years, &c. Farther continued by 1762, ch. 7, 1765, ch. 22, June, 1773, ch. 2, October, 1780, ch. 12, November, ch. 38, 1795, ch. 83, to 30th January, 1798; revived and continued till the end of the ſeſſion, (and all acts done under it rmed,) 1798, ch. 10. Expired.

CHAP. V.

pplementary act to an act, entitled, * An act for granting a ſupply of forty thouſand pounds his majeſty's ſervice, and ſtriking thirty-four thouſand and fifteen pounds ſix ſhillings thereof in s of credit, and raiſing a fund for ſinking the ſame. Lib. HS. fol. 361. Expired 26th Novem-, 1763. * 1756, ch. 5.

CHAP. VI.

CT, entitled, An act to repeal part of an act, entitled, * An act repealing part of an act lay- an impoſition on negroes, and on ſeveral ſorts of liquors imported, and alſo on Iriſh ſervants, to prevent the importing too great a number of Iriſh papiſts into this province, and to lay a y upon rum, ſpirits, wine and brandy, imported into this province from Pennſylvania, or the ee lower counties on Delaware, called New-Caſtle, Kent and Suſſex. Lib. HS. fol. 363. Ex- d 24th April, 1762. * 1724, ch. 10.

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a SESSION of ASSEMBLY begun and held at the CITY of ANNAPOLIS, on the 22d day of November, and ended the 24th day of December, in the 8th year of the dominion of the right honourable FREDERICK, abſolute Lord and Proprietary of the provinces of Maryland and Avalon, Lord Baron of Baltimore, &c. *annoque domini* 1758, the following laws were enacted.

HORATIO SHARPE, ESQUIRE, GOVERNOR.

CHAP. VII.

ACT continuing an act, entitled, (a) An act for amending the ſtaple of tobacco, for preventing uds in his majeſty's cuſtoms, and for the limitation of officers fees, and alſo one other act, en- ed, (b) A ſupplementary act to the act, entitled, An act for amending the ſtaple of tobacco, preventing frauds in his majeſty's cuſtoms, and for the limitation of officers fees, alſo one other , entitled, (c) An additional ſupplementary act to the act, entitled, An act for amending the ple of tobacco, for preventing frauds in his majeſty's cuſtoms, and for the limitation of officers s, and alſo one other act, entitled, (d) An act for the relief of inſpectors and owners of tobac- and others, who have ſuffered by means of extraordinary rains and high tides, and other de- ts in the inſpection law. Lib. HS. fol. 370. Passed 30th of Nov. 1758.

1753, ch. 22. (b) 1754, ch. 1. (c) 1754, ch. 3. (d) 1755, ch. 7. Continued until the 1ſt day of December, 1763.

CHAP. VIII.

ACT continuing an act, entitled, (e) An act for the relief of ſuch perſons as cannot find ſurety their appearance to teſtify as a witneſs againſt any perſon arreſted, accuſed or proſecuted, for criminal matter. Lib. HS. fol. 371. Passed 24th of Dec. 1758.

(e) 1752, ch. 13, hereby continued three years, &c.

CHAP. IX.

ACT continuing an act, entitled, (f) An act to prevent diſabled and ſuperannuated ſlaves being free, or the manumiſſion of ſlaves by any laſt will or teſtament. Lib. HS. fol. 372.

(f) 1752, ch. 1, hereby continued for ſeven years, and to the end of the next ſeſſion of aſſembly.

CHAP.

CHAP. X.

Paſſed 24th of Dec. 1758.

An ACT continuing an act, entitled, (a) An act for the more effectual deſtroying of ſquirrels and crows in the counties of Kent, Queen-Anne's and Talbot, and for deſtroying red foxes in the ſaid counties. Lib. HS. fol. 372.

(a) 1749, ch. 9, hereby continued three years, &c.

CHAP. XI.

An ACT for deſtroying of crows and ſquirrels in particular counties. Lib. HS. fol. 373.

For three years, &c. Farther continued by 1762, ch. 14, for three years, &c. Expired.

CHAP. XII.

An ACT for the keeping a public warehouſe for inſpecting tobacco at the Land of Eaſe, on Bo river. Lib. HS. fol. 374.

To continue until the firſt December, 1763. Expired.

CHAP. XIII.

An ACT for ſelling the land whereon the free-ſchool in St. Mary county ſtood, and for rebuilding the ſaid ſchool-houſe. Lib. H fol. 374.

Preamble.

WHEREAS the viſitors of the ſchool by law eſtabliſhed in St. Mary's county, by their hum petition to this preſent general aſſembly, have repreſented, that the ſchool-houſe by law e bliſhed hath lately been unfortunately deſtroyed by fire, and that it ſtood in an inconvenient place the ſaid county; that a maſter duly qualified for ſuch ſchool could not gain a ſufficient maintena by means of the inconvenient ſituation of the ſaid ſchool-houſe; that if the land whereon the ſchool-houſe ſtood was to be ſold, and the money ariſing by ſuch ſale was to be applied towards b ing a new one in a more convenient place in the ſaid county, it would better anſwer the conveni of the major part of the people in the ſaid county, and conſequently the end and deſign of co ſchools by law eſtabliſhed; it is therefore by the ſaid petition prayed, that it may be enacted,

Viſitors to ſell the ground, &c.

II. AND BE IT ENACTED, *by the right honourable the Lord Proprietary, by and with the advice and conſent of his lordſhip's Governor, and the Upper and Lower Houſes of Aſſembly, and the authority of the* That it ſhall and may be lawful to and for the viſitors of the ſchool by law eſtabliſhed for St. M county, to ſet up and expoſe to ſale the piece or parcel of ground whereon the ſchool-houſe ſaid ſtood in the ſaid county, for the beſt price that can be gotten for the ſame, and the ſame to vey, in fee, to the purchaſer, or agreeable to the title given by law to the ſaid ground, and with monies thereby ariſing, ſo far as the ſame ſhall extend, to purchaſe ſome other piece or parc ground within the ſaid county, and thereon to erect and build a new ſchool-houſe for the uſe of ſaid county, any law, ſtatute, uſage or cuſtom, to the contrary thereof in anywiſe notwithſtandi

CHAP. XIV.

An ACT continuing an act, entitled, (b) An act for repairing the public roads in this province, the (c) ſupplementary act thereto. Lib. HS. fol. 375.

(b) 1753, ch. 16. (c) 1756, ch. 12; both which are hereby continued three years, &c.

CHAP. XV.

An ACT to enable the agents appointed by an act, entitled, An act for granting a ſupply of thouſand pounds for his majeſty's ſervice, and ſtriking thirty-four thouſand and fifteen pound ſhillings thereof in bills of credit, and raiſing a fund for ſinking the ſame, to pay the ſeveral of money for Indian ſcalps to the perſons in this act mentioned. Lib. HS. fol. 376.

CHAP. XVI.

An ACT to empower the juſtices of Charles county to levy on the taxable inhabitants of Port bacco pariſh, in ſaid county, a ſum not exceeding two pounds of tobacco per poll annually, for ſupport of an organiſt in ſaid pariſh. Lib. HS. fol. 377.

CHAP. XVII.

An ACT for granting a ſum of money as a preſent to the forces late in the pay and ſervice of province, and taken into his majeſty's ſervice by brigadier-general Forbes. Lib. HS. fol. 37

SESSION of ASSEMBLY, begun and held at the CITY of NNAPOLIS, on Saturday, the 22d day of March, and ended Friday, the 11th day of April, in the 9th year of the dominion the right honourable FREDERICK, abſolute Lord and Proprietary the Provinces of Maryland and Avalon, Lord Baron of Baltimore, . *annoque domini* 1760, the following laws were enacted.

HORATIO SHARPE, ESQUIRE, GOVERNOR.

CHAP. I.

T continuing an act, entitled, (a) An act to prevent perſons from ſecreting boats, flats and veſſels, drove by ſtreſs of weather, or otherwiſe, from landings and moorings. Lib. HS. 80. Paſſed 11th of April, 1760.

(a) 1753, ch. 10, hereby continued three years, &c.

CHAP. II.

T continuing an act, entitled, (b) An act to prevent maſters of ſhips and veſſels from clan-ely carrying ſervants and ſlaves, or perſons indebted, out of this province. Lib. HS. 80.

(b) 1753, ch. 9, hereby continued three years, &c.

CHAP. III.

T continuing an act, entitled, (c) A ſupplementary act to the act, entitled, An act for the of creditors in England againſt bankrupts who have imported goods into this province not nted for. Lib. HS. fol. 381.

(c) 1753, ch. 36, hereby continued three years, &c.

CHAP. IV.

T continuing an act, entitled, (d) An act for the advancement of juſtice. Lib. HS. fol. 381.

(d) 1753, ch. 2, hereby continued three years, &c.

CHAP. V.

T continuing an act, entitled, (e) An act for preventing Indians, diſaffected to the Britiſh t in America, from coming into this province as ſpies, or on any other evil deſign. Lib. l. 382.

(e) 1756, ch. 13, hereby continued three years, &c.

CHAP. VI.

to aid ſome proceedings of the veſtry of Port-Tobacco pariſh, in Charles county, and to r the ſaid pariſh to elect veſtrymen and churchwardens. Lib. HS. fol. 382.

CHAP. VII.

to increaſe the ſalaries of the inſpectors of Snow-Hill warehouſe, in Worceſter county, mouth warehouſe, in Dorcheſter county. Lib. HS. fol. 383. Expired 1ſt December, 1763.

CHAP. VIII.

for the ſpeedy and effectual publication of the laws of this province, and for the encourage-Jonas Green, of the city of Annapolis, printer. Lib. HS. fol. 384.

To continue to the 2d day of April, 1761. Expired.

At a SESSION of ASSEMBLY begun and held at the City of ANNAPOLIS, on Friday, the 26th day of September, and ended on Wedneſday, the 15th day of October, in the 10th year of the dominion of the right honourable FREDERICK, abſolute Lord and Proprietary of the provinces of Maryland and Avalon, Lord Baron of Baltimore, &c. *annoque domini* 1760, the following laws were enacted.

HORATIO SHARPE, ESQUIRE, GOVERNOR.

CHAP. IX.

Paſſed 13th of October, 1760. An ACT for eaſing the inhabitants of this province from the great and unequal burthen of the additional land tax. Lib. HS. fol. 386.

To continue until the 20th June, 1763, and to the end of the next ſucceeding ſeſſion. Expired 26th November, 1763.

CHAP. X.

Paſſed 15th of October, 1760. An ACT continuing an act, entitled, (a) An act for the ſpeedy recovery of ſmall debts in court before one juſtice of the peace. Lib. HS. fol. 390.

(a) 1753, ch. 13, hereby continued three years, &c.

CHAP. XI.

An ACT continuing an act, entitled, (b) An act for the gauge of barrels for pork, beef, pitch, turpentine, and tare of barrels for flour or bread. Lib. HS. fol. 390.

(b) 1745, ch. 11, hereby continued three years, &c.

CHAP. XII.

An ACT continuing an act, entitled, (c) An act for relieving the inhabitants of this province from ſome aggrievances in the proſecution of ſuits at law, and for continuing the (d) ſupplement act thereto. Lib. HS. fol. 391.

(c) 1714, ch. 4. (d) 1728, ch. 24; both which are hereby continued three years, &c.

CHAP. XIII.

An ACT continuing an act, entitled, (e) A ſupplementary act to the act, entitled, An act for ascertaining the height of fences, to prevent the evil occaſioned by the multitude of horſes, and for ſtraining horſe-rangers within this province, and to redreſs the great evil accruing to this province by the multiplicity of uſeleſs horſes, mares and colts, that run in the woods. Lib. HS. fol.

(e) 1750, ch. 25, hereby continued three years, &c.

CHAP. XIV.

An ACT to augment the ſalaries of ſeveral inſpectors. Lib. HS. fol. 392. Expired 1st December, 1763.

CHAP. XV.

An ACT continuing an act, entitled, (f) An act to remedy ſome evils relating to ſervants. Lib. HS. fol. 393.

(f) 1750, ch. 5, hereby continued three years, &c.

CHAP. XVI.

An ACT for increaſing the allowance of grand and petit jurors who ſhall attend the provincial court, to limit coſts with reſpect to witneſſes, and granting them an allowance for their charges. Lib. HS. fol. 393. Repealed 1765, ch. 33.

SESSION of ASSEMBLY begun and held at the CITY of NNAPOLIS, on Wedneſday, the 17th day of March, in the th year of the dominion of the right honourable FREDERICK, ord Baron of Baltimore, abſolute Lord and Proprietary of the ovinces of Maryland and Avalon, &c. and ended the 24th day April following, in the 12th year of his lordſhip's dominion, *noque domini* 1762, the following laws were enacted.

HORATIO SHARPE, ESQUIRE, GOVERNOR.

CHAP. I.

CT for the adjournment and continuance of Prince-George's and Queen-Anne's county courts. HS. fol. 398. Paſſed 2d of April, 1762.

CHAP. II.

CT continuing an act, entitled, (a) An act to exempt perſons appearing at muſters from arreſts vil caſes. Lib. HS. fol. 399. Paſſed 24th of April, 1762.

1748, ch. 1, hereby continued for three years next enſuing, and to the end of the next ſeſſion of aſſembly which ſhall after the end of the ſaid three years.

CHAP. III.

CT continuing an act, entitled, (b) An act to prevent certain evils and inconveniencies at- ing the ſale of ſtrong liquors, and running horſe-races, near the yearly meetings of the people d Quakers, and to prevent the tumultuous concourſe of negroes and other ſlaves during the meetings, and alſo one other act, entitled, (c) An act to amend and explain an act, entitled, act to prevent certain evils and inconveniencies attending the ſale of ſtrong liquors, and run- of horſe-races, near the yearly meetings of the people called Quakers, and to prevent the ltuous concourſe of negroes and other ſlaves during the ſaid meetings. Lib. HS. fol. 399.

1747, ch. 17. (c) 1752, ch. 14; both continued for three years next enſuing, and to the end of the next ſeſſion of ly.

CHAP. IV.

CT continuing an act, entitled, (d) An act for puniſhment of horſe-ſtealers and other offenders. HS. fol. 400.

(d) 1744, ch. 20, continued for three years next enſuing, and to the end of the next ſeſſion of aſſembly.

CHAP. V.

CT continuing an act, entitled, (e) An act for the more effectual puniſhment of certain of- ers, and for taking from them the benefit of clergy. Lib. HS. fol. 400.

(e) 1737, ch. 2, continued for three years next enſuing, and to the end of the next ſeſſion of aſſembly.

CHAP. VI.

CT continuing an act, entitled, (f) An additional and explanatory act to the act, entitled, An empowering the commiſſioners of the county courts to levy and raiſe tobacco to defray the ſſary charges of their counties and pariſhes. Lib. HS. fol. 401.

(f) 1748, ch. 20, continued for three years next enſuing, and to the end of the next ſeſſion of aſſembly.

CHAP. VII.

CT continuing an act, entitled, (g) An act relating to guardians and orphans. Lib. HS. fol.

(g) 1758, ch. 4, continued for three years next enſuing, and to the end of the next ſeſſion of aſſembly.

CHAP. VIII.

CT continuing an act, entitled, (h) An act for deſtroying wolves in Frederick county. Lib. fol. 402.

(h) 1751, ch. 3, continued for three years next enſuing, and to the end of the next ſeſſion of aſſembly.

CHAP. IX.

Paſſed 24th of April, 1762.

An ACT continuing an act, entitled, (a) An additional ſupplementary act to the act, entitled, An act relating to ſervants and ſlaves. Lib. HS. fol. 402.

(a) 1748, ch. 19, continued for three years next enſuing, and to the end of the next ſeſſion of aſſembly.

CHAP. X.

An ACT continuing an act, entitled, (b) An act for the more effectual puniſhment of negroes and other ſlaves, and for taking away the benefit of clergy from certain offenders, and a ſupplementary act to an act, entitled, An act to prevent the tumultuous meeting and other irregularities of negroes and other ſlaves, and directing the manner of trying ſlaves. Lib. HS. fol. 403.

(b) 1751, ch. 14, continued for three years next enſuing, and to the end of the next ſeſſion of aſſembly.

CHAP. XI.

An ACT continuing an act, entitled, (c) An act to make the teſtimony of convicted perſons good againſt convicted perſons. Lib. HS. fol. 403.

(c) 1751, ch. 11, continued for three years next enſuing, and to the end of the next ſeſſion of aſſembly.

CHAP. XII.

An ACT continuing an act, entitled, (d) A ſupplementary act to an act, entitled, An act laying an impoſition on negroes, and ſeveral ſorts of liquors imported, and alſo on Iriſh ſervants, to prevent the importing too great a number of Iriſh papiſts into this province. Lib. HS. fol. 404.

(d) 1735, ch. 6, continued for three years next enſuing, and to the end of the next ſeſſion of aſſembly.

CHAP. XIII.

An ACT continuing an act, entitled, (e) An act to enable the ſeveral and reſpective county courts within this province to remove ſome of the county records and papers from the public offices. Lib. HS. fol. 404.

(e) 1748, ch. 7, continued for three years next enſuing, and to the end of the next ſeſſion of aſſembly.

CHAP. XIV.

An ACT continuing an act, entitled, (f) An act for deſtroying of crows and ſquirrels in parts of counties. Lib. HS. fol. 405.

(f) 1758, ch. 11, continued for three years next enſuing, and to the end of the next ſeſſion of aſſembly.

CHAP. XV.

An ACT to enable James Hollyday, legal repreſentative of James Hollyday, Eſquire, deceaſed, late treaſurer of the eaſtern ſhore, to draw bills for the money therein mentioned. Lib. HS. fol. 405. A Private Act.

CHAP. XVI.

An ACT to empower the juſtices of Somerſet and Worceſter counties to levy on the taxable inhabitants of Coventry pariſh, partly in Somerſet and Worceſter counties, the quantity of fifty thouſand four hundred pounds of tobacco, for the uſes therein mentioned. Lib. HS. fol. 406.

N. B. By this act, 1. The veſtry and churchwardens of the ſaid pariſh are empowered to purchaſe in fee two acres of land lying in Somerſet county, in the pariſh aforeſaid, at ſome place between the head of Coulbourn's creek and Annimeſſix creek, and thereon to build a chapel of eaſe, &c. which land, when ſo purchaſed, and chapel ſo built, ſhall be deemed the land and chapel of eaſe of the ſaid pariſh, and the ſaid chapel for ever hereafter to be ſupported and repaired at the charge of the ſaid pariſh. 2. The ſaid veſtry, &c. are empowered to enlarge the chapel of eaſe ſituate on Dividing creek, in the ſaid pariſh. 3. The juſtices of Somerſet and Worceſter county courts are empowered to aſſeſs and levy on the taxable inhabitants of the ſaid pariſh fifty thouſand tobacco, by three equal aſſeſſments, in the years 1762, 1763 and 1764, together with the ſheriff's ſalary of five per cent. for collecting the ſame, which aſſeſſments ſhall be reſpectively made by the juſtices aforeſaid in proportion to the taxable inhabitants of the ſaid pariſh of Coventry, reſiding in their ſeveral and reſpective counties, and when collected, ſhall be paid by the reſpective ſheriffs to ſuch veſtry, &c. to be by them received and applied to the uſes aforeſaid. 4. The inhabitants of Coventry pariſh ſhall diſcharge the ſaid tax in current money, in the ſame manner as they are now enabled to pay and diſcharge the public or county

CHAP. XVII.

An ACT continuing an act, entitled, (g) An act for repairing the public roads in this province, and the (h) ſupplementary act thereto. Lib. HS. fol. 408.

(g) 1753, ch. 16. (h) 1756, ch. 12. Continued for three years, and to the end of the next ſeſſion of aſſembly.

CHAP. XVIII.

An ACT continuing an act, entitled, (i) An act for the more effectual deſtroying of ſquirrels and crows in the counties of Kent, Queen-Anne's and Talbot, and for deſtroying red foxes in the ſaid counties. Lib. HS. fol. 408.

(i) 1749, ch. 9, continued for three years, and to the end of the next ſeſſion of aſſembly.

CH

CHAP. XIX.

CT continuing an act, entitled, (a) An act for the relief of such persons as cannot find surety their appearance to testify as a witness against any person arrested, accused or prosecuted for criminal matter. Lib. HS. fol. 409. Passed 24th of April, 1762.

(a) 1752, ch. 13, continued for three years, and to the end of the next session of assembly.

CHAP. XX.

CT for erecting a public warehouse at Vienna-town, in Dorchester county. Lib. HS. fol. 409. ired 1st December, 1763.

CHAP. XXI.

CT to change the name of Zaccheus Barret to that of Onion. Lib. HS. fol. 411. A Pri- Act.

CHAP. XXII.

CT empowering the justices of Charles county to levy on the taxable inhabitants of Port-To- parish, in the said county, a quantity of tobacco for the uses therein mentioned. Lib. fol. 412.

CHAP. XXIII.

CT to remedy an omission in the testament and last will of Henry Woodward, deceased. Lib. fol. 413. A Private Act.

CHAP. XXIV.

CT for the speedy and effectual publication of the laws of this province, and for the encourage- of Jonas Green, of the city of Annapolis, printer. Lib. HS. fol. 413.

CHAP. XXV.

T empowering the justices of Baltimore county court to assess and levy a sum of current mo- and for other purposes therein mentioned. Lib. HS. fol. 417.

. By this act, 1. The justices of Baltimore county court are empowered to assess and levy on the taxable inhabitants of ul's parish, in the said county, £.600 current money, together with the sheriff's salary of 5 *per cent.* for collection, at qual annual assessments, in the same manner, &c. as the county charges are usually assessed and levied. 2. Certain com- rs are appointed and empowered to purchase in fee, in the name of the rector, vestrymen and churchwardens of the said two acres of land at a place known by the name of T L, and thereon to erect a chapel of ease to the aforesaid parish, &c. said commissioners are empowered to draw on the sheriff of Baltimore county, from time to time as occasion shall re- for so much of the said £. 600 as they, or the major part of them, shall think necessary, towards satisfaction or payment purchase of the said two acres of land, and for building, finishing and completing the chapel of ease aforesaid. 4. The apel, when built, to be deemed a chapel of ease for the said parish, and divine service shall be performed therein by the ent for the time being every third Sunday, and the same chapel of ease, to be constantly kept in repair at the charge of sh of St. Paul's aforesaid for ever.

CHAP. XXVI.

T to augment the salaries of the inspectors at Elk-Ridge landing warehouse, in Anne-Arun- unty, and the inspectors of Emerson's warehouse, in Talbot county, and for other purposes n mentioned. Lib. HS. fol. 418. Expired 1st December, 1763.

CHAP. XXVII.

T to empower Mary Stansbury, widow and administratrix with the will annexed of Tobias bury, late of Baltimore county, to sell the lands therein mentioned for the payment of the of the said Tobias Stansbury. Lib. HS. fol. 419. A Private Act.

CHAP. XXVIII.

T for building a church in St. James's parish, in Anne-Arundel county. Lib. HS. fol. 420.

A Supplement 1765, ch. 31.

By this act, 1. The vestrymen and churchwardens of the said parish are required, as soon as conveniently may be, to &c. for the building and finishing a new church on or near the place where the parish church now stands. 2. The jus- Anne-Arundel county are required, on application to them made by the vestry, &c. to levy on the taxable inhabitants aid parish, by two equal assessments in the two next ensuing years, 130,000lb. tobacco, together with the sheriff's salary cent for collecting the same, &c. to be by him paid to the said vestry, and by them be applied to the building and finish- aid new church, and to no other purpose whatsoever.

CHAP. XXIX.

for the naturalization of colonel Henry Bouquet and Frederick Victor. Lib. HS. fol. 421. vate Act.

CHAP. XXX.

to empower William Clajon, and Mary his wife, administratrix of Gamaliel Butler, late of y of Annapolis, to sell a lot of ground and three dwelling-houses, for the payment of the f the said Gamaliel Butler. Lib. HS. fol. 422. A Private Act.

CHAP. XXXI.

Paſſed 24th of April, 1762. An ACT for the continuance of cauſes ſtanding for trial in the provincial court. Lib. HS. fol.

CHAP. XXXII.

An ACT to eſtabliſh a market at the market-houſe in Cheſter-town, in Kent county, and for th gulation of the ſaid market. Lib. HS. fol. 424.

For three years, &c. Continued by 1771, ch. 5, for three years, &c. Expired.

CHAP. XXXIII.

An ACT to prevent any future loan of the bills of credit now in the paper currency office, a eaſe the inhabitants of this province in the payment of certain taxes. Lib. HS. fol. 425.

CHAP. XXXIV.

An ACT for the deſtroying of ſquirrels and crows in Baltimore county. Lib. HS. fol. 427.

For three years, &c. Expired.

1763. At a SESSION of ASSEMBLY begun and held at the CITY ANNAPOLIS, on Tueſday, the 4th day of October, in the year of the dominion of the right honourable FREDERICK, abſo Lord and Proprietary of the provinces of Maryland and Ava Lord Baron of Baltimore, &c. and ended the 26th day of Nov ber, *annoque domini* 1763, the following laws were enacted.

HORATIO SHARPE, ESQUIRE, GOVERNOR.

CHAP. I.

Paſſed 31ſt of October, 1763. An ACT for the adjournment of Baltimore county court. Lib. HS. fol. 430.

CHAP. II.

Paſſed 21ſt of Nov. 1763. An ACT for giving a bounty for taking Indian priſoners, and other purpoſes therein menti Lib. HS. fol. 430.

CHAP. III.

An ACT for prohibiting all trade with the Indians for the time therein mentioned. Lib fol. 433.

CHAP. IV.

An ACT continuing an act, entitled, (a) An act for relieving the inhabitants of this provinc ſome aggrievances in the proſecution of ſuits at law, and for continuing the (b) ſupplem act thereto. Lib. HS. fol. 434.

(a) 1714, ch. 4. (b) 1728, ch. 24; continued, &c. for and during the term of three years, and unto the en next ſeſſion of aſſembly.

CHAP. V.

An ACT continuing an act, entitled, (c) An act for increaſing the allowance of grand an jurors who ſhall attend the provincial court, to limit coſts with reſpect to witneſſes, and gi them an allowance for itinerant charges. Lib. HS. fol. 435.

(c) 1760, ch. 16, continued, &c. for three years, and to the end of the next ſeſſion of aſſembly.

CHAP. VI.

* 1753, ch. 36. An ACT continuing an act, entitled, * A ſupplementary act to act, entitled, An act for the relief of creditors in England ag bankrupts who have imported goods into this province not acco ed for. Lib. HS. fol. 435.

Preamble. WHEREAS an act of aſſembly was made at a ſeſſion of aſſembly begun and held at the Annapolis on the ſecond day of October, in the year of our Lord one thouſand ſeve

nd fifty-three, entitled, A ſupplementary act to the act, entitled, An act for the relief of cre- in England againſt bankrupts who have imported goods into this province not accounted for, ince, by experience, appeared to be a good and wholeſome law, and very beneficial to the peo- this province; CHAP. VI.

BE IT ENACTED, *by the right honourable the Lord Proprietary, by and with the advice and conſent lordſhip's Governor, and the Upper and Lower Houſes of Aſſembly, and the authority of the ſame,* That me act ſhall be perpetual, and is hereby continued, to be and remain in full force for ever. Act made perpetual.

CHAP. VII.

CT continuing an act, entitled, (a) An act for preventing Indians diſaffected to the Britiſh reſt in America from coming into this province as ſpies, or on any other evil deſign. Lib. fol. 436. Paſſed 21ſt of Nov. 1763.

(a) 1756, ch. 13, continued for three years, and to the end of the next ſeſſion of aſſembly.

CHAP. VIII.

ACT continuing an act, entitled, * An act to prevent perſons om ſecreting boats, flats and other veſſels, drove by ſtreſs of eather, or otherwiſe, from landings and moorings. Lib. HS. ol. 437. * 1753, ch. 10.

HEREAS an act of aſſembly was made at a ſeſſion of aſſembly begun and held at the city of Annapolis on the ſecond day of October, in the year of our Lord one thouſand ſeven hun- and fifty-three, entitled, An act to prevent perſons ſecreting boats, flats and other veſſels, by ſtreſs of weather, or otherwiſe, from landings and moorings, hath ſince, by experience, ap- d to be a good and wholeſome law, and very beneficial to the people of this province; Preamble.

BE IT ENACTED, *by the right honourable the Lord Proprietary, by and with the advice and conſent of rdſhip's Governor, and the Upper and Lower Houſes of Aſſembly, and the authority of the ſame,* That me act ſhall be perpetual, and is hereby continued, to be and remain in full force for ever. Act made perpetual.

CHAP. IX.

CT continuing an act, entitled, (b) An act to remedy ſome evils relating to ſervants. Lib. fol. 437.

(b) 1750, ch. 5, continued, &c. for three years, and to the end of the next ſeſſion of aſſembly.

CHAP. X.

ACT continuing an act, entitled, * An act to prevent maſters of ſhips and veſſels from clandeſtinely carrying ſervants and ſlaves, or perſons indebted, out of this province. Lib. HS. fol. 438. * 1753, ch. 9.

HEREAS an act of aſſembly of this province, made at a ſeſſion of aſſembly begun and held at the city of Annapolis on the ſecond day of October, one thouſand ſeven hundred and fifty- entitled, An act to prevent maſters of ſhips and veſſels from clandeſtinely carrying ſervants laves, or perſons indebted, out of this province, hath ſince, by experience, appeared to be a and wholeſome law, and very beneficial to the people of this province; Preamble.

BE IT THEREFORE ENACTED, *by the right honourable the Lord Proprietary, by and with the advice conſent of his lordſhip's Governor, and the Upper and Lower Houſes of Aſſembly, and the authority of the* That the ſame act ſhall be perpetual, and is hereby continued, to be and remain in full force ever. Act made perpetual.

CHAP. XI.

ACT continuing an act, entitled, (c) A ſupplementary act to the act, entitled, An act aſcer- ining the height of fences, to prevent the evil occaſioned by the multitude of horſes, and re- raining horſe-rangers within this province, and to redreſs the great evil accruing to this province the multiplicity of uſeleſs horſes, mares and colts, that run in the woods. Lib. HS. fol. 438.

(c) 1750, ch. 25, hereby continued, &c. for and during the term of three years, and to the end of the next ſeſſion of aſſembly.

CHAP. XII.

ACT continuing an act, entitled, (d) An act for the gauge of barrels for pork, beef, pitch, tar, rpentine, and tare of barrels for flour or bread. Lib. HS. fol. 439.

(d) 1745, ch. 15, continued, &c. for three years, and to the end of the next ſeſſion of aſſembly.

CHAP.

CHAP. XIII.

Passed 21st of Nov. 1763.
* 1729, ch. 8.

A Supplementary act to the * act for the relief of creditors, and prevent frauds and deceits occasioned by secret sales and mortgages and gifts of goods and chattels. Lib. HS. fol. 439.

Preamble.

WHEREAS it hath been found by experience, that the setting up parole gifts of negroes, other slaves, where the donor hath retained the possession and use, is productive of disp and lawsuits, and hath a tendency to introduce corruption and perjury, and that such gifts been often established upon very slight and suspicious testimony; for remedy thereof,

Gift to be under hand and seal, &c.

II. BE IT ENACTED, *by the right honourable the Lord Proprietary, by and with the advice and con his lordship's Governor, and the Upper and Lower Houses of Assembly, and the authority of the same,* from and after the end of this session of assembly, no negro or other slave, whereof the donor sha tain the use and possession, shall pass, alter or change, or any property thereof be transferred t donee, unless the gift be by writing under the hand and seal of the donor, and acknowledged b one provincial justice, or one justice of the county where the donor shall reside, and recorded i records of the same county within twenty days from the time of the execution thereof.

Proviso.

III. PROVIDED ALWAYS, and it is the true intent and meaning of this act, That nothing h contained shall extend, or be construed to extend, to make void any parole gift of any negro or slave, where there shall be an express delivery of such slave in pursuance of such gift, and wher sole use and possession of the same shall be transferred to the donee, nor to make void any bequ any negro or other slave by any last will and testament.

CHAP. XIV.

An ACT to aid the proceedings of the vestry of St. Stephen's parish, in Cæcil county. Lib fol. 440.

CHAP. XV.

An ACT to empower John Paca, Robert Adair, Moses Hill and Margaret his wife, to sell an pose of the lands therein mentioned, late the lands of William Hammond, of Baltimore co deceased, for the payment of the debts of the said William Hammond. Lib. HS. fol. 44 Private Act.

CHAP. XVI.

* 1746, ch. 7.

A Supplementary act to an act, entitled, * An act for erecting a co ty school in Worcester county, and appointing visitors for the sa Lib. HS. fol. 445.

Preamble.

WHEREAS by virtue of the said act for erecting a county school in Worcester county, an pointing the visitors for the same, and of another act, entitled, An act for the encourage of learning, and erecting schools in the several counties within this province, the visitors of the county school are authorised and directed to purchase one hundred acres of land, or more, fo use of the said school: And whereas it is represented to this general assembly, that the funds said school are insufficient for purchasing so large a quantity of land; that it will be more comm and convenient to purchase in lieu thereof four lots of ground in the town of Snow-Hill, for th of the said school;

Visitors to purchase lots, &c.

II. BE IT THEREFORE ENACTED, *by the right honourable the Lord Proprietary, by and with the and consent of his lordship's Governor, and the Upper and Lower Houses of Assembly, and the authority same,* That the visitors of the said school for the time being, or the major part of them, be an hereby authorised, empowered and directed, with all convenient speed, to purchase four lots of g in the town of Snow-Hill, in the said county, to them and their successors, for ever, for the the said school, and cause to be erected and built a public school for the county aforesaid on part of the said four lots of ground as for that purpose shall be assigned by the said visitors, or th jor part of them.

Visitors accountable, &c.

III. AND, whereas at the time of the erecting the said county of Worcester by the division merset county, there was a very considerable sum of money in the hands of the visitors of Som county school, which still remains in their hands, the one moiety whereof ought, in equity and science, to be applied to the use of Worcester county school; BE IT THEREFORE ENACTED, *authority aforesaid,* That the visitors of Somerset county school for the time being shall be a

made accountable to the viſitors of Worceſter county ſchool, and are hereby ordered and enCHAP. XVI.
o pay to them one moiety of the money which was in the hands of the ſaid viſitors of Somerſet
ſchool at the time of the diviſion aforeſaid of the ſaid county of Somerſet; and the ſaid
of Worceſter county ſchool for the time being are hereby empowered to demand and receive
he ſaid viſitors of Somerſet county ſchool for the time being the ſaid moiety for the uſe of
ſter county ſchool, and in caſe of refuſal, to ſue and implead the ſaid viſitors of Somerſet
ſchool for the time being to account for the ſame moiety, and to pay the ſame to them for the
Worceſter county ſchool aforeſaid.

PROVIDED ALWAYS, AND BE IT ENACTED, That the viſitors of Somerſet county ſchool for the Proviſo.
eing ſhall not be anſwerable to ſatisfy the money appearing due by the account to be rendered,
very to be had as aforeſaid, out of their own private monies or eſtate, but that the ſame be
d ſatisfied, or if neceſſary levied, out of the monies belonging to the ſaid Somerſet county
now in the hands of the viſitors thereof, or the treaſurers, or which ſhall hereafter come to
r any of their hands.

AND, whereas at the time of the diviſion of the ſaid county of Somerſet there was in the hands
es Hollyday, Eſquire, deceaſed, late treaſurer of the Eaſtern Shore, ſundry ſums of money
Somerſet county ſchool, which ſtill remains in the hands of James Hollyday, Eſquire, his exone moiety of which ought in equity and conſcience to be applied to the uſe of Worceſter
ſchool, BE IT THEREFORE ENACTED, *by the authority aforeſaid*, That the ſaid viſitors of Worceſ- Viſitors to receive money, &c.
nty ſchool for the time being, or the major part of them, ſhall and are hereby empowered and
to receive from the ſaid James Hollyday, Eſquire, the executor, the one moiety of all ſuch
ſums of money, which, at the time of the diviſion of the county of Somerſet, were in the
of the ſaid late treaſurer, due to Somerſet county ſchool, and the ſaid James Hollyday,
, is hereby authoriſed, empowered and directed, to pay the ſame to the viſitors of Worceſnty ſchool for the time being, or the major part of them, or their order or orders, for the uſe
rceſter county ſchool.

CHAP. XVII.

T for the adjournment and continuance of Frederick county court. Lib. HS. fol. 446. Paſſed 21ſt of Nov. 1763.

CHAP. XVIII.

T for amending the ſtaple of tobacco, for preventing frauds in his majeſty's cuſtoms, and for imitation of officers fees. Lib. HS. fol. 447.

A Supplement 1765, ch. 29.

ontinue until the firſt day of December, 1766. Continued by November, 1766, ch. 1, to 25th December, 1769, by 1769, o 8th October, 1770, by September, 1770, ch. 1, continued to 22d October, 1771, when it expired.

CHAP. XIX.

T for the adjournment of Prince-George's county court. Lib. HS. fol. 507.

CHAP. XX.

T to enable the rector, veſtrymen and churchwardens of the pariſh of St. Margaret's Weſter, in Anne-Arundel county, for the time being, to ſell a tract of land therein mentioned, o apply the produce money ariſing by ſuch ſale towards the purchaſe of another piece of land made a glebe, for the uſe of the incumbent of that pariſh, and his ſucceſſors. Lib. HS. 07.

By this act, 1. The veſtrymen and churchwardens of the ſaid pariſh are enabled to ſell and convey, in fee-ſimple, a parcel of glebe-land (originally granted to a certain William Fuller for 150 acres, and now commonly called Whitehall,) ighеſt bidder, not under £. 300 ſterling for the aforeſaid tract, within twelve months from the end of this preſent ſeſſion, ic vendue, giving two months notice of the ſaid ſale, in the Maryland Gazette, and to apply the produce money towards chaſe of another piece of land, lying in ſome more central part of the ſaid pariſh, to be made over to the veſtrymen and wardens aforeſaid, in truſt, and for the uſe and benefit of the incumbent of the ſaid pariſh, and his ſucceſſors for ever. afe the ſaid veſtrymen, &c. ſhall not, in ſix months after ſuch ſale, be able to purchaſe ſome other tract more central, as irected, then they ſhall place the money (ariſing from ſuch ſale) out to intereſt, upon good ſecurity, which intereſt ſhall y paid to the rector or incumbent for the time being, until the purchaſe as aforeſaid can be made, which it is hereby deto be the duty of the ſaid veſtrymen, &c. to make, as ſoon as they poſſibly can, to the advantage and convenience hereby d, &c.

CHAP. XXI.

T for the ſpeedy recovery of ſmall debts out of court before one juſtice of the peace. Lib. fol. 509.

continue for three years, and to the end of the next ſeſſion of aſſembly. Continued for ſeven years by November, 1766, for ſeven years by November, 1773. ch. 13, which was, with the principal act, repealed, by June, 1777, ch. 12, and that d the principal act, repealed by 1791, ch. 68.

CHAP.

CHAP. XXII.

Passed 21st of Nov. 1763. * 1733, ch. 6.

A Supplementary act to the act, entitled, * An act for emitting and making current ninety th fand pounds current money of Maryland in bills of credit. Lib. HS. fol. 512.

CHAP. XXIII.

An ACT for the advancement of juſtice. Lib. HS. fol. 513.

Preamble.

WHEREAS notwithſtanding the ſeveral laws heretofore made for the advancement of ju amendment of the law, and aiding and ſupplying ſeveral defects in judicial proceedings, delay, trouble and expences, have been and ſtill are occaſioned by demurrers, arreſting and reve of judgments, and ſtaying executions by writs of error and appeal, there being yet no ſufficient viſion made for the aiding ſuch omiſſions, errors and imperfections, as are uſually taken advanta by ſpecial demurrers, and alſo for aiding ſuch defects in the entries of clerks as are frequently advantage of, on the proſecuting writs of error or appeals, as well as divers other advanta other defects, or pretended defects or errors, which only ſerve to prevent or divert the examin of, and giving judgment on, the very right of the cauſe; for remedy whereof,

Courts ſhall give judgment, &c.

II. BE IT ENACTED, *by the right honourable the Lord Proprietary, by and with the advice and of his lordſhip's Governor, and the Upper and Lower Houſes of Aſſembly, and the authority of the ſame,* in all actions to be commenced after this ſeſſion of aſſembly, the juſtices of the ſeveral courts within this province ſhall proceed and give judgment according as the very right of the cauſe matter in law, ſhall appear to them, without regarding any ſuch omiſſion, defects, advantages o tences as aforeſaid, ſo as ſufficient matter ſhall appear in the proceedings, upon which the court proceed to give judgment according to the very right of the cauſe and matter in law, and that i appear that the action ſhall be commenced after the cauſe thereof ſhall accrue, and that no judgment ſhall be reverſed or ſet aſide, or execution thereon delayed, for or by reaſon of any imperfection, omiſſion or defect, any law, uſage or cuſtom, to the contrary notwithſtanding.

Proviſo.

III. PROVIDED ALWAYS, AND BE IT ENACTED, *by the authority aforeſaid,* That nothing in th ſhall extend, or be conſtrued to extend, to any writ, declaration, or ſuit of appeal of felony o der, or to any indictment or preſentment of treaſon, felony or murder, or other matter, or proceſs upon any of them, or to any writ, bill, action or information, upon any penal ſtatute.

Plaintiff to ſend a copy, &c.

IV. AND BE IT FURTHER ENACTED, *by the authority aforeſaid* That in all actions hereafter commenced in the provincial court, for the recovery of any certain ſum of money or quantity bacco within the juriſdiction of that court, where the plaintiff is deſirous of a ſpeedy trial, the plaintiff ſhall ſend a copy of the declaration in the caſe with the writ, and cauſe the ſame ſerved on or delivered to the defendant, or left at his or her place of abode, twenty days at th before the appearance court, it ſhall and may be lawful for the juſtices of the ſaid court, and the by this act required to oblige the defendant, by rule of court, to proceed to trial the ſame court if the defendant ſhall neglect, or refuſe to anſwer or plead, to render judgment for the plaintiff coſts of ſuit, unleſs ſufficient cauſe be ſhewn by the defendant why there ſhould be an imparlan

Power of county courts, &c.

V. AND BE IT FURTHER ENACTED, That in all actions in the county courts, where the ma thing in diſpute ſhall not exceed the ſum of twenty pounds ſterling money, or five thouſand p of tobacco, the juſtices of the county court where ſuch action ſhall be brought may and ſhall prayer of either plaintiff or defendant, either before or after judgment, or verdict of a jury, mon law,) hear and determine the ſame according to the rules of equity and good conſcien fully and amply as the chancellor or keeper of the great ſeal might do in any caſe within the diction of the chancery court, any law, uſage, verdict of a jury or cuſtom, to the contrary n ſtanding.

Proviſo.

VI. PROVIDED ALWAYS, That nothing in this act contained ſhall extend, or be conſtrued to e ſo as to limit, abridge or reſtrain, the juriſdiction of the high court of chancery of this prov any manner or reſpect whatſoever, but that the ſaid court ſhall have the ſame power, author juriſdiction, in all and every caſe, as belonged to and was exerciſed by the ſaid court be making this act, any thing herein contained notwithſtanding.

Bonds, &c. to be aſſigned, &c.

VII. AND BE IT ENACTED, That where any perſon or p rſons is or are bound in any bo other obligation, for the payment of money, tobacco or other goods, or endorſe any bill of e that ſhall be proteſted, and the money, tobacco or other goods, or ſuch part thereof as ſha paid by the principal debtor, ſhall be paid or tendered by the ſurety or endorſer, that the

ſee ſhall be obliged to aſſign ſuch bond, obligation or proteſted bill, to the ſurety paying or ten- the money, tobacco or other goods, due as aforeſaid, and that the aſſignee ſhall and may, by of ſuch aſſignment and this act, have an action in his or her own name againſt the principal , any law, uſage or cuſtom, to the contrary notwithſtanding.

II. AND BE IT ENACTED, That where any perſon or perſons hath recovered, or ſhall recover, Judgments ſhall be aſſigned, &c. dgment againſt the principal debtor and ſurety, and ſuch judgment hath been or ſhall be ſatis- ſureties, that the creditor ſhall be obliged to aſſign ſuch judgment to the ſurety ſatisfying the and that the aſſignee ſhall be entitled unto and have in his own name, as aſſignee, the ſame tion againſt the principal debtor, by virtue of ſuch aſſignment and this act, as the creditor or ought to have had, the ſaid aſſignment being firſt recorded in the ſame court wherein the ent ſhall have been rendered or obtained; and that where any judgment hath been or ſhall be red againſt ſeveral ſureties, and one of them hath ſatisfied or ſhall ſatisfy the whole, the plain- creditors ſhall be obliged to aſſign ſuch judgment to the ſurety ſatisfying the ſame, and that ignee ſhall have and be entitled to an execution againſt the other ſureties againſt whom judge- hath been or ſhall be obtained by the principal creditor, for a proportionable part of the debt mage paid by ſuch aſſignee, any law, uſage or cuſtom, to the contrary notwithſtanding; pro- always, that no defendant or defendants ſhall be precluded or debarred of his or their remedy t the plaintiff by *audita querela*, or other equitable courſe or proceeding whatſoever, any thing act to the contrary notwithſtanding.

AND BE IT ENACTED, *by the authority aforeſaid*, That upon all bonds, or other obligations under Bonds, &c. on which actions may be maintained, &c. hat have or ſhall be aſſigned under hand and ſeal, the aſſignee ſhall and may, by virtue of ſuch ment, maintain an action or actions in his or her name againſt the obligor or obligors therein , and if it ſhall happen that ſuch obligor or obligors ſhall be unable to pay the debt mentioned h obligation, or cannot be found in the place or county of his uſual abode, or any other thing ualty ſhould happen whereby the aſſignee ſhould not be able to receive or recover his debt from bligor or obligors, that then and in every ſuch caſe the like action ſhall and may be maintain- y ſuch aſſignee againſt the obligee or obligees in ſuch obligation mentioned, in caſe the ſaid e hath not been, nor ſhall be, a ſurety in the bond or obligation aſſigned to him as aforeſaid, w, uſage or cuſtom, to the contrary notwithſtanding; provided, that where any debt ſhall be the negligence or default of the aſſignee or aſſignees, that the aſſignor or aſſignors ſhall not be any ſuch aſſignment notwithſtanding.

PROVIDED ALSO, That no action or actions ſhall be maintained in the name or names of any Proviſo. e or aſſignees upon any aſſignment wherein the obligee or obligees may be liable under this act, the default of the obligor or obligors as aforeſaid, unleſs the aſſignor or aſſignors have made or ake oath (or affirmation if a quaker,) before ſome magiſtrate, "that he, ſhe or they, hath or eceived no part of the ſum mentioned in ſuch obligation, or but ſuch part thereof as ſhall be ned in ſuch oath or affirmation, at the time of making any ſuch aſſignment," to be endorſed h bond or obligation.

AND BE IT LIKEWISE ENACTED, That any perſon knowingly ſwearing or affirming falſely in Puniſhment for falſe ſwearing. emiſes, and being thereof convict, by due courſe of law, ſhall ſuffer as in the caſe of wilful rrupt perjury.

AND BE IT FURTHER ENACTED, *by the authority aforeſaid*, That an attorney being concerned Attorney's fee. her plaintiff or defendant in any caſe of equity to be heard before the county courts as afore- hall have and receive one hundred pounds of tobacco, where the debt doth not exceed ten ſterling, or two thouſand five hundred pounds of tobacco, and where the debt doth exceed unds ſterling, or two thouſand five hundred pounds of tobacco, in any ſuch caſe the quantity hundred pounds of tobacco, and no more.

CHAP. XXIV.

ACT for the more effectual ſecuring of orphans eſtates. Lib. S. fol. 516.

Paſſed 21ſt of Nov. 1763.

WHEREAS it frequently happens that executors and adminiſtrators, and others, that inter- Preamble. marry with widows, do obtain the poſſeſſion of real eſtates of orphans within this province, mit waſte and deſtruction thereupon, before any balance is tranſmitted from the commiſſary's in which caſe no guardian can be appointed by the ſeveral county courts under any law now ; for remedy whereof for the future,

CHAP. XXIV. Orphans may chooſe guardians, &c.

II. BE IT ENACTED, *by the right honourable the Lord Proprietary, by and with the advice and consent of his lordſhip's Governor, and the Upper and Lower Houſes of Aſſembly, and the authority of the ſame,* That it ſhall and may be lawful for the juſtices of the ſeveral county courts, and they are hereby authorized and required, on application to them made, to permit ſuch orphans, if above the age of four years, to chooſe his or her guardian, and if under the age of fourteen, then the ſaid juſtices to appoint a guardian, and immediately order the ſaid orphan's real eſtate into the hands of ſuch guardian in the ſame manner as they might or could have done had the balance of ſaid eſtate been tranſmitted from the commiſſary's office; and ſuch guardian, ſo as aforeſaid choſen or appointed by this act, ſhall have the ſame powers, and be ſubject to the ſame duties and regulations, as guardians otherwiſe choſen or appointed are by the laws of this province now in force, and when the balance of the perſonal eſtate is tranſmitted (which is hereby declared to be his duty to ſee done as ſoon as the particular circumſtances of the deceaſed's eſtate will admit,) ſhall receive the ſame as if then choſen or appointed, any law, uſage or cuſtom to the contrary in anywiſe notwithſtanding.

Such parts of this act as are repugnant to the act of 1798, ch. 101, are thereby repealed.

CHAP. XXV.

Paſſed 21ſt of Nov. 1763.

An ACT to confirm the ſale of certain land lying in Eaſtern-Neck Iſland, in Kent county, by Draper Luſby and Frances his wife, executrix of John Hynſon, deceaſed, to Matthew Hynſon. Lib. HS. fol. 517. A Private Act.

CHAP. XXVI.

Paſſed 26th of Nov. 1763.

An ACT to prohibit raiſing of ſwine and geeſe in Charles-town, in Charles county. Lib. HS. fol. 518.

CHAP. XXVII.

An ACT empowering the juſtices of Prince-George's and Charles counties to levy on the taxable perſons of Saint-John's (commonly called King George's,) pariſh, in the ſaid counties, the ſum of fifty-ſix thouſand pounds of tobacco for the neceſſary enlargement of their pariſh church. Lib. HS. fol. 519.

CHAP. XXVIII.

An ACT for impoſing an additional duty of two pounds per poll on all negroes imported into this province. Lib. HS. fol. 520.

This act was to continue three years, &c. Continued for ſeven years, &c. by November, 1766, ch. 13, and for ſeven years, &c. by November, 1773, ch. 14. Expired.

CHAP. XXIX.

* 1756, ch. 5.

An ACT to continue the power of ſheriffs and collectors under the act, entitled, * An act for granting a ſupply of forty thouſand pounds for his majeſty's ſervice, and ſtriking thirty-two thouſand and fifteen pounds ſix ſhillings thereof in bills of credit, and raiſing a fund for ſinking the ſame, in collecting and accounting for the ſeveral ſums due in virtue of that act. Lib. HS. fol. 521.

CHAP. XXX.

An ACT empowering Richard Richardſon, of Frederick county, to ſell and diſpoſe of the land which belonged to his deceaſed father Richard Richardſon, and to apply the money ariſing thereby from to the uſes of his ſaid father's will. Lib. HS. fol. 522. A Private Act.

CHAP. XXXI.

An ACT to empower the juſtices of Charles county to levy on the taxable inhabitants of Port-Tobacco pariſh, in ſaid county, an additional ſum, not exceeding two pounds of tobacco per poll, annually, for the further ſupport of an organiſt in the ſaid pariſh. Lib. HS. fol. 525.

CHAP. XXXII.

An ACT for erecting a public ſchool in Frederick county. Lib. HS. fol. 526.

Supplementary and other acts, 1769, ch. 17, 1796, ch. 65.

Preamble.

WHEREAS it is reaſonable that education ſhould be extended equally to the ſeveral parts of the province, and that there ſhould be a public ſchool erected in Frederick county, as well as the other counties;

School to be erected, &c.

II. BE IT THEREFORE ENACTED, *by the right honourable the Lord Proprietary, by and with the advice and conſent of his lordſhip's Governor, and the Upper and Lower Houſes of Aſſembly, and the authority*

That in order to the erecting and building a houſe and other conveniencies for a county ſchool, ſhall be one acre of land purchaſed in Frederick-town, in Frederick county, by the perſons after named, who ſhall be viſitors of the ſaid ſchool, viz. colonel Thomas Creſap, Mr. Thomas ys, Mr. Nathan Magruder, captain Joſeph Chapline, Mr. John Darnall, colonel Samuel Beall, he reverend Mr. Thomas Bacon; which ſaid perſons, ſo nominated viſitors for Frederick county l, ſhall qualify in the ſame manner, and be ſubject to the ſame penalties, and be inveſted with ime rights, privileges, powers and authorities, as the viſitors of the other county ſchools with- s province, and ſhall have ſucceſſion in like manner. CHAP. XXXII.

By 1795, ch. 65, other viſitors are appointed, and regulations, &c. are eſtabliſhed.

. AND BE IT FURTHER ENACTED, That of all the duties, taxes and impoſitions, hereafter to be ted, and which, ſince the twenty-ninth day of September laſt, have been collected for the uſe e county ſchools within this province, there ſhall be paid by the treaſurers to the viſitors afore- or their order, an equal dividend, by them to be applied and expended to and for the purchaſing e acre of land as aforeſaid, and building an houſe and other conveniencies as aforeſaid, and to or the uſe and benefit of the ſaid ſchool, in the like manner as the dividends due to the other y ſchools is by law directed to be applied. An equal dividend to be paid, &c.

CHAP. XXXIII.

pplementary act to an act, entitled, An act for the ſpeedy and effectual publication of the laws this province, and for the encouragement of Jonas Green, of the city of Annapolis, printer. . HS. fol. 527. Paſſed 26th of Nov. 1763.

CHAP. XXXIV.

ACT to revive Kent county November court, and to continue the proceſs therein. Lib. HS. 528.

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a SESSION of ASSEMBLY, begun and held at the CITY of 1765.
NNAPOLIS, on Monday, the 23d day of September, in the 5th year of the dominion of the right honourable FREDERICK, bſolute Lord and Proprietary of the Provinces of Maryland and valon, Lord Baron of Baltimore, &c. and ended the 28th day of eptember, *anno domini* 1765, the following law was enacted.

HORATIO SHARPE, ESQUIRE, GOVERNOR.

CHAP. I.

ACT to continue all ſuch acts of aſſembly of this province as would expire with this ſeſſion of aſſembly. Lib. HS. fol. 531. Paſſed 23d of Sept, 1765.

IT ENACTED, *by the right honourable the Lord Proprietary, by and with the advice and conſent of his Lordſhip's Governor, and the Upper and Lower Houſes of Aſſembly, and the authority of the ſame*, That d every acts and act of aſſembly of this province now in force, and which would expire with eſſion of aſſembly if the ſame were not provided for, ſhall be and are hereby continued in full until the end of the next ſeſſion of aſſembly, and no longer. Acts continued.

At a SESSION of ASSEMBLY begun and held at the CITY ANNAPOLIS, on Friday, the 1st day of November, in the 15 year of the dominion of the right honourable FREDERICK, absolu Lord and Proprietary of the provinces of Maryland and Avalo Lord Baron of Baltimore, &c. and ended the 20th day of Dece ber, *anno domini* 1765, the following laws were enacted.

HORATIO SHARPE, ESQUIRE, GOVERNOR.

CHAP. I.

Paſſed 20th of Dec. 1765.

A Supplementary act to the act, entitled, An act relating to the ſt dard of Engliſh weights and meaſures. Lib. HS. fol. 532.

Preamble.

WHEREAS by the act, entitled, An act relating to the ſtandard of Engliſh weights and ſures, no penalty is impoſed upon perſons buying by any dry meaſure or meaſures, wit firſt having the ſaid meaſure or meaſures tried and ſtamped at the ſtandard, as there is upon the ſe And whereas it is repreſented to this general aſſembly, that many buyers of grain, flax-ſeed, other commodities, when the people have carried them a great diſtance to market, refuſe to buy unleſs by meaſure or meaſures of their own, which have been found, upon trial, to be larger the ſtandard aforeſaid;

Penalty for buying by certain meaſures, &c.

II. BE IT THEREFORE ENACTED, *by the right honourable the Lord Proprietary, by and with the and conſent of his lordſhip's Governor, and the Upper and Lower Houſes of Aſſembly, and the authority ſame*, That if any perſon or perſons ſhall hereafter buy by any dry meaſure or meaſures, being her or their property, or found or provided by him, her or them, contrary to the true intent meaning of the above recited act, he, ſhe or they, ſhall forfeit and pay the ſum of five pounds rent money for every offence, one half thereof to the informer, or him, her or them that ſha for the ſame, and the other half to be paid into the hands of the treaſurer of the reſpective where ſuch forfeiture ſhall happen, and applied as the general aſſembly for the time being ſhall and appoint, to be recovered in any court of record within this province, by action on the action of debt, bill of indictment or information, wherein no eſſoin, protection or wager of la more than one imparlance ſhall be allowed.

Proviſo.

III. PROVIDED ALWAYS, That ſuch action ſhall be commenced within one year from the ti the ſaid offence being committed, and not afterwards.

CHAP. II.

An ACT for the further enlargement of Baltimore-town, in Ba more county. Lib. HS. fol. 532.

Preamble.

WHEREAS Cornelius Howard, of Baltimore county, together with ſundry the inhabita ſaid county, have, by their humble petition to this preſent general aſſembly, ſet forth, there is on the weſt and ſouth ſides of Baltimore-town, thirty-five acres of land or thereabouts, commodious to be laid out into lots and joined to Baltimore-town aforeſaid, and thereby p that it might be enacted,

Land to be ſurveyed, &c.

II. AND BE IT ENACTED, *by the right honourable the Lord Proprietary, by and with the advice a ſent of his lordſhip's Governor, and the Upper and Lower Houſes of Aſſembly, and the authority of thi* That the commiſſioners of ſaid Baltimore-town, or the major part of them, do, and they are h directed and required, at ſome time before the twenty-fifth day of March next enſuing, to cau ſaid thirty-five acres of land to be ſurveyed and laid out into lots and ſtreets, at the proper coſt expences of the ſaid Cornelius Howard, in ſuch manner as to them ſhall ſeem convenient, and when the ſame ſhall be ſo done, the ſaid thirty-five acres of land ſhall be, and are hereby declar be, part of Baltimore-town aforeſaid, to all intents and purpoſes, as fully and amply as if incl originally therein, and have the ſame immunities and privileges as the reſt of the ſaid town h

r laws heretofore made or hereafter to be made ought to have; and any perſon or perſons who CHAP. II.
uild or improve on the ſaid thirty-five acres of land, after the ſame ſhall be laid out into lots, former laws relating to the ſaid town is directed, and purchaſe the ſame from the proprietor or etors, ſhall have ſuch eſtate as they ſhall contract for and purchaſe in any lot or lots ſo pur- and built on, but the purchaſer or purchaſers of any part of the ſaid thirty-five acres of land reby left to agree with the proprietor or proprietors thereof, and not otherwiſe to have any o any of the ſaid new lot or lots to be laid out by virtue of this act.

CHAP. III.

pplementary act to the act, entitled, An act aſcertaining what damages ſhall be allowed upon Paſſed 20th of Dec. 1765.
eſted bills of exchange. Lib. HS. fol. 533.

continue for three years, &c. Farther continued for three years, &c. by the act of 1769, ch. 6, for ſeven years, &c. by t of June 1773, ch. 2, and for ſeven years by the act of October, 1780, ch. 12. Expired.

CHAP. IV.

CT to enable the juſtices of St. Mary's county court to aſſeſs and levy on the taxable inhabi- s of St. Andrew's pariſh a quantity of tobacco for building a church, and for other purpoſes ein mentioned. Lib. HS. fol. 533.

CHAP. V.

CT to enable the juſtices of St. Mary's county court to aſſeſs and levy on the taxable inha- nts of All-Faith's pariſh a quantity of tobacco, and for other purpoſes therein mentioned. Lib. fol. 535.

CHAP. VI.

CT for the benefit of the poor, and encouragement of induſtry. Lib. HS. fol. 536.

This act was to continue five years. Expired.

CHAP. VII.

CT for the building a veſtry-houſe at St. Paul's church, in Kent county. Lib. HS. fol. 538.

CHAP. VIII.

CT to revive and aid the proceedings of Cæcil county court. Lib. HS. fol. 538.

CHAP. IX.

CT to empower Mary Covington, adminiſtratrix of Philip Covington, late of Somerſet coun- deceaſed, to ſell and diſpoſe of the lands of the ſaid Philip, for the purpoſes therein mentioned. HS. fol. 540. A Private Act.

CHAP. X.

CT to prevent the miſchiefs ariſing from the multiplicity of uſeleſs dogs, and other purpoſes ein mentioned. Lib. HS. fol. 542.

To continue three years, &c. Expired.

CHAP. XI.

CT for the relief of certain languiſhing priſoners in the ſeveral gaols therein mentioned. Lib. fol. 545. A Private Act.

CHAP. XII.

upplementary act to the act, entitled, * An act for limitation of * 1715, ch. 23. rtain actions for avoiding ſuits at law. Lib. HS. fol. 550.

HEREAS the act, entitled, An act for limitation of certain actions for avoiding ſuits at law, Preamble.
hath provided, that in caſe any perſon or perſons whatſoever ſhall abſent themſelves out of ovince, after any debt contracted, he, ſhe or they, ſo abſenting themſelves, ſhall have no by the limitation or reſtriction in the ſaid act ſpecified, but hath made no proviſion in the caſe in the perſon or perſons liable to the ſame hath or have been, is, are or may be abſent out of ovince, at the time when any cauſe of action may have ariſen or accrued, or ſhall or may ariſe rue againſt him, her or them, though the ſaid caſe falling under the ſame reaſon ought to have ne remedy;

BE IT THEREFORE ENACTED, *by the right honourable the Lord Proprietary, by and with the advice* Perſons abſent, &c. to receive no advantage, &c.
ſent of his lordſhip's Governor, and the Upper and Lower Houſes of Aſſembly, and the authority of the
That if any perſon or perſons liable, or that hath or have been, or ſhall or may be liable to any
or that hath or have been, or ſhall or may be abſent out of this province, at the time when the

CHAP. XII. the cauſe of action hath ariſen or accrued, or ſhall or may ariſe or accrue againſt him, her or th he, ſhe or they, ſhall have or receive no benefit or advantage of or from the ſaid recited act.

Proviſo. III. PROVIDED, That the perſon or perſons that hath, have, or hath or have had, or that or may have ſuch cauſe of action as aforeſaid, ſhall commence or proſecute the ſame after the pre in this province of the perſon or perſons liable thereto, within the time or times limitted in an the ſaid recited act.

CHAP. XIII.

Paſſed 20th of Dec. 1765. An ACT to veſt the title of and in certain lands in John Hammond, Eſquire, and for other pur therein mentioned. Lib. HS. fol. 550. A Private Act.

CHAP. XIV.

An ACT to eſtabliſh a road from Hunting creek, in Dorcheſter, to Dover, in Talbot county. HS. fol. 552.

CHAP. XV.

An ACT continuing an act, entitled, (a) An act for the relief of ſuch perſons as cannot find for their appearance to teſtify as a witneſs againſt any perſon arreſted, accuſed or proſecute any criminal matter. Lib. HS. fol. 553.

(a) The act of 1752, ch. 13, continued for ſeven years, &c.

CHAP. XVI.

An ACT continuing an act, entitled, (b) An act to enable the ſeveral and reſpective county within this province to remove ſome of the county records and papers from the public offices. HS. fol. 554.

(b) The act of 1748, ch. 7, continued for ſeven years, &c.

CHAP. XVII.

An ACT continuing an act, entitled, (c) An act for the more effectual puniſhment of negro other ſlaves, and for taking away the benefit of clergy from certain offenders, and a ſupplem act to an act, entitled, An act to prevent the tumultuous meeting and other irregulari negroes and other ſlaves, and directing the manner of trying ſlaves. Lib. HS. fol. 554.

(c) The act of 1751, ch. 14, continued for ſeven years, &c.

CHAP. XVIII.

An ACT continuing an act, entitled, (d) A ſupplementary act to an act, entitled, An act la impoſition on negroes, and ſeveral ſorts of liquors imported, and alſo on Iriſh ſervants, to p the importing too great a number of Iriſh papiſts into this province. Lib. HS. fol. 555.

(d) The act of 1735, ch. 6, continued for ſeven years, &c. Continued for twenty-one years by June, 1773, ch. 2.

CHAP. XIX.

An ACT continuing an act, entitled, (e) An act to make the teſtimony of convicted perſo againſt convicted perſons. Lib. HS. fol. 555.

(e) The act of 1751, ch. 11, continued for ſeven years, &c.

CHAP. XX.

An ACT continuing an act, entitled, (f) An act for the more effectual puniſhment of cer fenders, and for taking from them the benefit of clergy. Lib. HS. fol. 556.

(f) The act of 1737, ch. 2, continued for ſeven years, &c.

CHAP. XXI.

An ACT continuing an act, entitled, (g) An additional and explanatory act to the act, An act empowering the commiſſioners of the county courts to levy and raiſe tobacco to de neceſſary charges of their counties and pariſhes. Lib. HS. fol. 556.

(g) The act of 1748, ch. 20, continued for ſeven years, &c. Continued for ſeven years, &c. by June, 1773, ch. 2.

CHAP. XXII.

An ACT continuing an act, entitled, (h) An act relating to guardians and orphans. L fol. 557.

(h) The act of 1758, ch. 4, continued for ſeven years, &c. Continued for ſeven years, &c. by June, 1773, ch. 2 years, &c. by October, 1780, ch. 12, for ſeven years, &c. by November, 1787, ch. 38, by 1795, ch. 83, to 30th Jan when it expired. Revived and continued by 1798, ch. 10, to the end of the ſeſſion, when it expired.

CHAP. XXIII.

ACT continuing an act, entitled, (a) An act to prevent certain evils and inconveniencies attending the sale of strong liquors, and running horse-races, near the yearly meetings of the people called Quakers, and to prevent the tumultuous concourse of negroes and other slaves during the said meetings, and also one other act, entitled, An act to amend and explain an act, entitled, An act to prevent certain evils and inconveniencies attending the sale of strong liquors, and running horse-races, near the yearly meetings of the people called Quakers, and to prevent the tumultuous concourse of negroes and other slaves during the said meetings. Lib. HS. fol. 557. Passed 20th of Dec. 1765.

(a) The acts of 1747, ch. 17, and 1752, ch. 14, continued for seven years, &c.

CHAP. XXIV.

ACT continuing an act, entitled, (b) An act to exempt persons appearing at musters from arrests in civil cases. Lib. HS. fol. 558.

(b) The act of 1748, ch. 1, continued for seven years, &c. Continued for seven years, &c. by June 1773, ch. 2, for seven years, &c. by October, 1780, ch. 12, for seven years, &c. by November, 1787, ch. 38. Expired.

CHAP. XXV.

ACT continuing an act, entitled, (c) An act for punishment of horse-stealers, and other offenders. Lib. HS. fol. 559.

(c) The act of 1744, ch. 20, continued for seven years, &c.

CHAP. XXVI.

ACT continuing an act, entitled, (d) An act for destroying wolves in Frederick county. Lib. HS. fol. 559.

(d) The act of 1751, ch. 3, continued for seven years, &c. Continued for seven years, &c. by June, 1773, ch. 2. Expired.

CHAP. XXVII.

ACT continuing an act, entitled, (e) An act for repairing the public roads in this province, and for a supplementary act thereto. Lib. HS. fol. 559.

(e) The acts of 1753, ch. 16, and 1756, ch. 12, continued for three years, &c.

CHAP. XXVIII.

ACT continuing an act, entitled, (f) An additional supplementary act to the act, entitled, An act relating to servants and slaves. Lib. HS. fol. 560.

(f) The act of 1748, ch. 19, continued for seven years, &c.

CHAP. XXIX.

A supplementary act to the act, entitled, * An act for amending the staple of tobacco, for preventing frauds in his majesty's customs, and for the limitation of officers fees. Lib. HS. fol. 561. * 1763, ch. 18.

The original act expired October, 1771.

CHAP. XXX.

ACT to enable the visitors of Kent county school for the time being to lease out part of the land belonging to the said school. Lib. HS. fol. 563.

A Supplementary act 1768, ch. 20.

WHEREAS the visitors of the said school, by their petition to this present assembly, have set forth, that by an act of assembly passed in the year seventeen hundred and forty-one, the visitors of said school for the time being were empowered to lease out one moiety of the land belonging to said school, except ten acres, on such terms as in the said act was expressed, and that the other moiety of the said land is now become a common, and useless to the said school, and pray that they may be empowered to lease out the other moiety of the said school land, or such part thereof as to them should be thought convenient (with proper outlets,) and so from time to time, as any of the leases of the said school land shall happen to expire, to lease them out anew; Preamble.

BE IT ENACTED, *by the right honourable the Lord Proprietary, by and with the advice and consent of his lordship's Governor, and the Upper and Lower Houses of Assembly, and the authority of the same,* That the visitors of Kent county school for the time being, or the major part of them, be and are hereby authorized and empowered to divide and lay out any or such part of the land belonging to the said school as to them shall be thought convenient, into lots, not exceeding the quantity of three acres in Land to be divided, &c.

CHAP. XXX.

in any one lot, and the ſame ſo divided to number and diſtinguiſh by the numbers next following th already laid out under the above recited act (with proper outlets,) and to demiſe and leaſe out ſame to the higheſt bidder or bidders, ten days public notice being firſt given, for any term of ye not exceeding twenty-one years, under ſuch payments of rents, and on ſuch terms, as the v viſitors, or the major part of them, ſhall think proper and reaſonable.

Leaſes may be renewed, &c.

III. AND BE IT FURTHER ENACTED, That the viſitors of the ſaid ſchool for the time being major part of them, ſhall be and are hereby empowered, if they ſhall think it for the future vantage of the ſaid ſchool, from time to time, as the leaſes of any of the lands of the ſaid ſchool expire, to leaſe out the ſaid ſchool lands again, on the terms aforeſaid, or renew the ſaid leaſe expiring, as to them ſhall ſeem beſt for the advantage of the ſaid ſchool; and that all ſuch leaſe the ſaid viſitors for the time being, or the major part of them, ſhall make, of the land aforeſaid, cording to the directions of this act, ſhall be good and valid to the perſon or perſons taking the ſa for the terms therein mentioned, and ſhall be binding as well on the maſter of the ſaid ſchool at time of making ſuch leaſe or leaſes, as on any ſucceeding maſter or maſters who ſhall be admitte or put in poſſeſſion of the ſame ſchool, at any time after making the ſame leaſe or leaſes, any l ſtatute, other act of aſſembly, uſage or cuſtom, to the contrary notwithſtanding.

Rents, how to be applied, &c.

IV. AND BE IT FURTHER ENACTED, *by the authority aforeſaid*, That the monies ariſing on the le aforeſaid, for the rents of the lands aforeſaid, ſhall be applied by the viſitors of the ſame ſchool the major part of them, as to them ſhall ſeem meet, for the benefit of the ſaid ſchool.

CHAP. XXXI.

Paſſed 20th of Dec. 1765.

A Supplementary act to the act, entitled, * An act for building a church in St. James's pari Anne-Arundel county. Lib. HS. fol. 564.

* 1762, ch. 28.

CHAP. XXXII.

An ACT for erecting a new pariſh in Kent county, called Cheſter pariſh, and for building a p church, and enlarging a chapel of eaſe, within the ſaid new pariſh. Lib. HS. fol. 566.

Supplements 1768, ch. 8, 1770, ch. 15.

A new pariſh, by the name of Cheſter pariſh, is carved out of St. Paul's and Shrewſbury pariſhes, according to the follo metes and bounds, viz. Beginning in St. Paul's pariſh, at the mouth of a pond by the bay ſide, between Marmaduke T and William Friſby's, and running up the pond ſide to the head thereof, where it interſects the line between ſaid Mar Tilden's land and George Copper's land, thence with that line to the road leading from ſaid Tilden's to Cooter Griffin's, with that road to interſect the main road leading from the head of Worton, by Cheſter-town, and with that main ro valley in James M'Clean's plantation, leading into the head of the branch called Fanning's branch, thence down that valley branch to a ſmall branch iſſuing out of the ſaid Fanning's branch, called Bloody-bridge branch, thence up the ſaid Bloody- branch to the head thereof, and then with a ſtreight line to the head of Muddy creek, and down the ſaid creek to Cheſter and in Shrewſbury pariſh beginning at the mouth of Turner's creek, on Saſſafras river, and running up the ſaid creek to Loutitt's point, and thence with the road leading by John Shawhan's into the main county road to Cheſter-town, thence the ſaid main county road to Thomas Perkins's, and thence by the croſs road to Iſaac Perkins's mill, and then by a due eaſt line from the ſaid mill to Cheſter river.

Such a quantity of tobacco, as, with the balance in the hands of the veſtry of St. Paul's, will make 100,000lb. in next November court, to be levied on the taxables of the county; and in November, 1767, there is to be a further aſſeſſm 80,000lb. Theſe two aſſeſſments, and the aforeſaid balance, are to be paid to the veſtry of the new pariſh, who, together the churchwardens, are to be elected by the freeholders, on the firſt Tueſday of January next, at the croſs roads called I. U.

The ſaid veſtry are to lay out any quantity of tobacco, not exceeding 130,000lb. in the purchaſe of two acres of ground near the ſaid place, and in erecting thereon a brick church, which they are to finiſh in every reſpect, except the pews and theſe are to be erected on the credit of the money which they are to be ſold for to the freeholders of the pariſh; and the directed to be ſold on ſuch terms as will defray the expence of erecting them. The veſtry is further empowered to e 50,000lb. of tobacco, in an addition to the church at Cheſter-town, which they are to finiſh in every reſpect, except the the expence of which is to be defrayed by a ſale of them to ſuch owners of lots in Cheſter-town as have not already pewn. incumbent of this new pariſh is to perform ſervice at the two churches alternately, the latter to be hereafter called and ch a chapel of eaſe.

CHAP. XXXIII.

An ACT to increaſe the allowance of jurors attending the provincial and county courts, and other purpoſes therein mentioned. Lib. HS. fol. 571.

This act repealed the act of 1760, ch. 16, entitled, An act for increaſing the allowance of grand and petit jurors, &c. to continue for three years, &c. and was continued for ſeven years, &c. by 1769, ch. 5. Expired.

CHAP. XXXIV.

An ACT to confirm a leaſe made by Thomas Harriſon, of Baltimore county, for part of a land therein mentioned, lying in Baltimore-town, in ſaid county, to the commiſſioners of the town, and their ſucceſſors, and to eſtabliſh a market in the ſaid town, and for the regulation the ſaid market. Lib. HS. fol. 574.

To continue for ſeven years, &c. Expired.

CHA

CHAP. XXXV.

CT for deſtroying of crows and ſquirrels in particular counties, and of red foxes in Kent and Passed 20th of Dec. 1765.
en-Anne's counties. Lib. HS. fol. 578.

s act repeals the act of 1728, ch. 7, ſo far as relates to the killing of crows and ſquirrels in St. Mary's, Somerſet, Charles, Arundel, Cæcil, Calvert, Worceſter, Talbot, Prince-George's, Frederick and Dorcheſter counties. It was to continue ears, &c. Expired.

CHAP. XXXVI.

CT for the ſpeedy and effectual publication of the laws of this province, and for the encourage- of Jonas Green, of the city of Annapolis, printer. Lib. HS. fol. 580.

CHAP. XXXVII.

CT for laying out anew, and ſettling and aſcertaining the future bounds and limits of St. e's, Chriſt church, and St. John's pariſhes, in Queen-Anne's county, and of St. Paul's pariſh, partly in Queen-Anne's and partly in Talbot county. Lib. HS. fol. 583.

A Supplementary act, November 1769, ch. 13.

s act conſtitutes thirteen commiſſioners, the majority of whom is empowered to meet at Queen's-town, on the firſt day of next, and there to appoint a clerk, who is to qualify by taking an oath of office. They are empowered to adjourn, at diſcretion, with reſpect to time and place, and the ſurveyor is commanded to attend them and obey their directions, whilſt re aſcertaining, by natural and artificial bounds and lines, the future limits of the ſaid pariſhes. This buſineſs they are re- to do by the 20th day of May next, in ſuch manner as to leave the yearly income of St. Luke's pariſh as near 45,000 s of tobacco, and the yearly income of St. Paul's as near 40,000 pounds as conveniently may be. The ſurveyor is then to out fair certificates, to be ſigned by a majority of the commiſſioners, as well as by himſelf. Where any of the ſaid pariſhes olly in one county, there are to be two certificates, one for the county court, and the other for the veſtry; but where any of ariſhes ſhall lie partly in one county and partly in the other, there muſt be three certificates, one for each of the county , and the third for the veſtry. Theſe certificates are to be reſpectively enrolled among the land records, and entered in the regiſters; and the book of entries is to be returned to Queen-Anne's county court, to be carefully preſerved by the clerk. the county courts (if neceſſary,) are to lay out anew the hundreds contained in the ſaid pariſhes, ſo that no one hundred e in two pariſhes.

CHAP. XXXVIII.

CT for limitting the time for ſinking the paper bills of credit now current in this province, other purpoſes therein mentioned. Lib. HS. fol. 587.

CHAP. XXXIX.

CT to enable the commiſſioners or truſtees of the loan-office to purchaſe ſtationary ware neceſ- for the uſe of the upper and lower houſes of aſſembly. Lib. HS. fol. 590.

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a SESSION of ASSEMBLY begun and held at the CITY of 1766.
NNAPOLIS, on Friday, the 9th day of May, in the 16th year
f the dominion of the right honourable FREDERICK, abſolute Lord
nd Proprietary of the provinces of Maryland and Avalon, Lord
aron of Baltimore, &c. and ended the 27th day of May, *anno*
mini 1766, the following laws were enacted.

HORATIO SHARPE, ESQUIRE, GOVERNOR.

CHAP. I.

CT continuing an act, entitled, (a) An act to prevent diſabled and ſuperannuated ſlaves being Paſſed 27th of May, 1766.
free, or the manumiſſion of ſlaves by any laſt will or teſtament. Lib. HS. fol. 593.

(a) The act of 1752, ch. 1, continued for twenty years, &c.

CHAP. II.

CT to veſt the title of and in a certain lot or parcel of land in John Jeremiah Myer. Lib. HS. 593. A Private Act.

CHAP. III.

Passed 27th of May, 1766. An ACT for the relief of certain languiſhing priſoners in the ſeveral gaols therein mentioned. HS. fol. 595. A Private Act.

CHAP. IV.

An ACT directing a copy of the laſt will and teſtament of brigadier-general Bouquet to be rec in the prerogative-office of this province, and for other purpoſes therein mentioned. Lib. fol. 600. A Private Act.

CHAP. V.

An ACT for trial of all matters of fact in the ſeveral counties where they have ariſen or ſhall a Lib. HS. fol. 602.

To continue for three years, &c. Expired.

CHAP. VI.

* 1715, ch. 26. A Supplementary act to the act, entitled, * An act for the ſpee trial of criminals, and aſcertaining their puniſhment in the cou courts, when proſecuted there, and for payment of fees due fr criminal perſons. Lib. HS. fol. 608.

Fees to be paid by the county. FOR preventing all doubts for the future, BE IT ENACTED AND DECLARED, *by the right honou the Lord Proprietary, by and with the advice and conſent of his lordſhip's Governor, and the Upper Lower Houſes of Aſſembly, and the authority of the ſame*, That all legal fees which have ariſen, and not already otherwiſe paid and allowed, or which ſhall hereafter ariſe on the proſecution of any gro, or other ſlave, in any county court, whether ſuch ſlave be convicted or acquitted, ſha chargeable to, and paid by the reſpective county where ſuch proſecution ſhall be had, and aſſeſſ the county levy of ſuch county.

CHAP. VII.

An ACT for reviving and continuing of actions and proceſs in ſeveral of the courts of law wi this province. Lib. HS. fol. 609.

CHAP. VIII.

An ACT to enable the veſtrymen and churchwardens of St. Paul's pariſh, in Baltimore county nominate and recommend inſpectors for Baltimore-town warehouſe. Lib. HS. fol. 611.

At a SESSION of ASSEMBLY begun and held at the CITY ANNAPOLIS, on Saturday, the 1ſt day of November, in t 16th year of the dominion of the right honourable FREDERIC abſolute Lord and Proprietary of the provinces of Maryland a Avalon, Lord Baron of Baltimore, &c. and ended the 6th day December, *anno domini* 1766, the following laws were enacted.

HORATIO SHARPE, ESQUIRE, GOVERNOR.

CHAP. I.

Paſſed 6th of Dec. 1766. An ACT continuing an act, entitled, (a) An act for amending the ſtaple of tobacco, for preventi frauds in his majeſty's cuſtoms, and for limitation of officers fees. Lib. HS. fol. 613.

(a) 1763, ch. 18, continued until the 25th of December, 1769. Continued by 1769, ch. 7, to 1ſt October, 1770, and September, 1770, ch. 1, to 22d October, 1771. Expired.

CHA

CHAP. II.

ACT to repeal part of an act, * entitled, An act for deſtroying ows and ſquirrels in particular counties, and of red foxes in Kent d Queen-Anne's counties, ſo far as the ſame extends to Somerſet, orcheſter and Worceſter counties Lib. HS. fol. 613.

Paſſed 6th of Dec. 1766.
* 1765, ch. 35.

IT ENACTED, *by the right honourable the Lord Proprietary, by and with the advice and conſent of his lordſhip's Governor, and the Upper and Lower Houſes of Aſſembly, and the authority of the ſame,* art of an act of aſſembly made at a ſeſſion of aſſembly, begun and held at the city of Annapo- firſt day of November, one thouſand ſeven hundred and ſixty-five, entitled, An act for de- g of crows and ſquirrels in particular counties, and of red foxes in Kent and Queen-Anne's es, which directs that oath or affirmation be made, that the ſquirrels or crows were killed in unty where the ſcalps ſhall be produced, ſo far as the ſame extends to Somerſet, Dorcheſter orceſter counties, be, and is hereby repealed, abrogated, and made null and void.

An act continued.

CHAP. III.

CT continuing an act, entitled, (a) An act for the ſpeedy recovery of ſmall debts out of court, re one juſtice of the peace. Lib. HS. fol. 614.

(a) The act of 1763, ch. 21, continued for ſeven years, &c. It was afterwards continued for ſeven years, &c. by November ch. 13, which, together with the principal act, has been repealed by June, 1777, ch. 12.

CHAP. IV.

CT continuing an act, entitled, (b) An act for the gauge of barrels for pork, beef, pitch, tar, entine, and tare of barrels for flour and bread. Lib. HS. fol. 615.

(b) The act of 1745, ch. 15, continued for ſeven years, &c.

CHAP. V.

CT continuing an act, entitled, (c) An act to remedy ſome evils relating to ſervants. Lib. fol. 615.

(c) The act of 1750, ch. 5, continued for ſeven years, &c.

CHAP. VI.

CT continuing an act, entitled, (d) A ſupplementary act to the act, entitled, * An act aſcer- ing the height of fences, to prevent the evil occaſioned by the multitude of horſes, and re- ning horſe-rangers within this province, and to redreſs the great evil accruing to this province he multiplicity of uſeleſs horſes, mares and colts, that run in the woods. Lib. HS. fol. 616.

* 1713, ch. 31.

(d) The act of 1750, ch. 25, continued for three years, &c. It expired with the ſeſſion of 1769. Revived and continued for years, &c. by March, 1778, ch. 6.

CHAP. VII.

CT for the building a veſtry-houſe at Cheſter church, in Kent county, and encloſing the rch-yard, and for other purpoſes. Lib. HS. fol. 616.

CHAP. VIII.

CT to empower the juſtices of Somerſet county to levy on the taxable inhabitants of Somerſet ſh, in the ſaid county, the quantity of one hundred and forty-four thouſand pounds of tobacco, he uſes therein mentioned. Lib. HS. fol. 618.

CHAP. IX.

CT for the adjournment and continuance of Frederick county court. Lib. HS. fol. 620.

CHAP. X.

ACT to repeal part of an act, entitled, * An act for the en- uragement of ſuch perſons as ſhall undertake to build water- ills. Lib. HS. fol. 621.

* 1704, ch. 16.

IT ENACTED, *by the right honourable the Lord Proprietary, by and with the advice and conſent of his rdſhip's Governor, and the Upper and Lower Houſes of Aſſembly, and the authority of the ſame,* That t, entitled, An act for the encouragement of ſuch perſons as will undertake to build water- and every clauſe, matter and thing, therein contained, ſhall be and do ſtand hereby repealed, the laſt enacting clauſe therein that followeth the recital, " for prevention of the abuſe fre- committed by perſons keeping water-mills, by taking exceſſive toll," together with the ſaid re- which ſaid recital, and enacting clauſe, it is hereby declared, ſhall ſtand in full force and virtue.

Part of an act repealed.

PROVIDED ALWAYS, That ſuch perſon and perſons as hath or have, before the firſt day of this t ſeſſion of aſſembly, taken out, obtained or proſecuted, any writ or writs of *ad quod damnum,*

Proviſo.

CHAP. X. under or by virtue of the ſaid recited act, ſhall have the ſame benefit and advantage under a virtue of the ſaid recited act as if this act were or had not been made, any thing herein to the trary notwithſtanding.

CHAP. XI.

Paſſed 6th of Dec. 1766. An ACT continuing an act, entitled, (a) An act for relieving the inhabitants of this province ſome aggrievances in the proſecution of ſuits at law, and for continuing the ſupplementa thereto. Lib. HS. fol. 622.

(a) The acts of 1714, ch. 4, and 1728, ch. 24, continued for ſeven years, &c. They have ſince been continued for two years, &c. by November, 1773, ch. 17. Expired.

CHAP. XII.

An ACT to enable the juſtices of Charles county court to aſſeſs and levy on the taxable inhabi of Trinity pariſh a quantity of tobacco for building a chapel of eaſe in Benedict hundred, i pariſh, and for other purpoſes therein mentioned. Lib. HS. fol. 622.

CHAP. XIII.

An ACT continuing an act, entitled, (b) An act for impoſing an additional duty of two pound poll on all negroes imported into this province. Lib. HS. fol. 624.

(b) The act of 1763, ch. 28, continued for ſeven years, &c. Continued for ſeven years, &c. by November, 1773, ch. 14 pired.

CHAP. XIV.

* 1715, ch. 47. # An additional ſupplementary act to the act, entitled, * An act quieting poſſeſſions, enrolling conveyances, and ſecuring the eſt of purchaſers. Lib. HS. fol. 624.

Preamble. WHEREAS the act, entitled, An act for quieting poſſeſſions, enrolling conveyances, an curing the eſtates of purchaſers, in aſcertaining a way and method for conveying of m lands, tenements and hereditaments, extends to and regards only ſuch conveyances as opera way of bargain and ſale; and the good ends and purpoſes of the ſaid act are now in great me eluded by the frequent uſe of conveyances by feoffment, leaſe and releaſe, confirmation, re limitation and declaration of uſes, and other modes of conveying: And whereas a general re of all deeds and conveyances of land, would very much tend to the ſecurity of creditors and chaſers, the preſervation of titles, and thereby to the advancement of the value of real eſtates particularly to prevent abuſes and deceits by mortgages, and the purchaſe of pretended titles;

No eſtate, &c. to paſs, &c. II. BE IT THEREFORE ENACTED, *by the right honourable the Lord Proprietary, by and with the and conſent of his lordſhip's Governor, and the Upper and Lower Houſes of Aſſembly, and the authority ſame,* That after the firſt day of May next, no eſtate of inheritance or free-hold, or any declar or limitation of uſe, or any eſtate for above ſeven years, ſhall paſs or take effect, except the de conveyance by which the ſame ſhall be intended to paſs or take effect, ſhall be acknowledged (c) provincial court, or before one of the juſtices thereof, in the county court, or before two juſtic the ſame county where the lands, tenements or hereditaments, conveyed by ſuch deed or conve do lie, (d) and be alſo enrolled in the records of the ſame county, or the provincial court, caſe may be, (e) within ſix months (f) after the date of ſuch deed or conveyance; and, fo taking which acknowledgment there ſhall be paid to the party or parties taking the ſame, the f one ſhilling, and no more; and the clerk of the provincial, or county courts, ſhall, immedi upon the receipt of ſuch deed or conveyance endorſe thereon the time of his receiving the ſame, ſhall well and truly, in a fair, full and legible hand-writing, enrol ſuch deed or conveyance good ſufficient book in folio, to be regularly alphabeted in the names of all and every of the p to the ſame, and the name of the land, and quantity of acres, which book ſhall remain in the c of the ſaid clerk of the ſaid provincial, or county court; and the clerk aforeſaid ſhall, on the of every ſuch deed or conveyance, in a full legible hand, make a certificate of ſuch enrolment, the time of making it, and alſo of the folio of the book in which the ſame ſhall be enrolled, and to ſuch certificate ſet his hand.

(c) By 1797, ch. 103, an acknowledgment that the lands, &c. are the right or eſtate of the grantee, &c. or an acknowl tantamount thereto, or in any words declaratory of the intention of the grantor to convey to the grantee, &c. ſhall be a able as if the grantor had acknowledged the ſaid inſtrument to be his act and deed.

(d) By 1796, ch. 43, deeds may be acknowledged before a chief juſtice of a diſtrict in his diſtrict, or an aſſociate juſtice in his county.

(e) By 1785, ch. 9, deeds acknowledged before a judge of the general court may be enrolled in the general court, or county where the lands lie, and deeds acknowledged in the county where the lands lie, may be enrolled in the records ſaid county, or in the general court.

(f) By November, 1779, ch. 10, the ſix months are to be calendar months.

III. Pro

I. Provided always, and be it enacted, That when the perſon or perſons making any deed conveyance for conveying or declaring or limitting any uſe in or for any lands, tenements or here-ments, ſhall live remote from the provincial court, or out of the county where the lands, tene-s or hereditaments lie, it ſhall and may be lawful for ſuch perſon or perſons to acknowledge me in the county court of the ſaid county, or before two juſtices of the ſaid county wherein he or they ſhall reſide; and a certificate of ſuch acknowledgment, under the hand of the coun-erk, and under the ſeal of the ſame county, being endorſed thereon, that the ſaid acknowledge-was made in open court, if made in court, or if before two juſtices, that they were, at the of making the ſaid acknowledgment, juſtices of the ſaid court, duly commiſſioned and ſworn, deed or conveyance ſhall be taken, deemed and reputed, and ſhall be as good and valid as if the had been acknowledged in manner firſt herein mentioned; and ſuch certificate ſhall be a ſuffi-warrant for the clerk of ſuch county, where the lands, tenements and hereditaments aforeſaid e, to enrol ſuch deed or conveyance, and the endorſements thereon. CHAP. XIV. Proviſo.

II. And, If any perſon or perſons conveying, limitting or declaring as aforeſaid, ſhall not be a ent of this province at the time of the execution of ſuch deed or conveyance, ſo as the ſame ot be acknowledged as is before directed, or enrolled within the time for that purpoſe herein be-limitted, then and in every ſuch caſe the deed or conveyance ſhall be acknowledged by letter of ney, well and ſufficiently proved, either in the provincial court, or county court where the land ded to be conveyed, or the uſe thereof limitted or declared, doth lie, or before one juſtice of rovincial, or two juſtices of the county court as aforeſaid, and be enrolled as aforeſaid within onths (a) from the time of ſuch acknowledgment, any thing herein contained to the contrary ithſtanding. Nonreſident may acknowledge, &c.

(a) See 1798, ch. 103.

And be it further enacted, *by the authority aforeſaid*, That every ſuch writing, to be ac-ledged and enrolled as aforeſaid, and every deed of bargain and ſale of any lands, tenements or ditaments whatſoever, hereafter to be made, executed, acknowledged and enrolled, ſhall have ion as to the paſſing and conveying the premiſes, and the eſtate thereby intended to be paſſed or eyed, by and from the day of the date thereof, any thing contained in this preſent act, or any r act or acts to the contrary notwithſtanding. Deeds, when to take effect.

III. And be it further enacted, That any *feme-covert*, not being a minor, joining with her and in any of the ſeveral kinds of conveyances herein before mentioned, and acknowledging them, y of them, upon private examination, according to the directions of the ſaid recited act, where *feme-covert* have the right, title or intereſt of the lands, tenements or hereditaments, or any thereof, by ſuch conveyances intended to be given, granted, releaſed, ſurrendered, declared, ed, or otherwiſe diſpoſed of, ſhall by ſuch execution of the ſaid conveyance or conveyances, ex-ation, acknowledgment and enrolment, be barred and foreclоſed to all intents and purpoſes ſoever, and that ſuch examination, and acknowledgment and enrolment, without her joining in ſaid deed or conveyance, ſhall be good and ſufficient to bar any *feme-covert* of her right of dower; ided, that ſuch *feme-covert*, in both caſes be, at the time of ſuch execution, examination and ac-wledgment, of the full age of twenty-one years, of ſound mind, and out of priſon; and where ſuch *feme-covert* ſhall live out of this province, within any of his majeſty's dominions, ſuch exa-ation and acknowledgment as aforeſaid, taken before the mayor of ſome corporation within Great-ain or Ireland, or other of his majeſty's European iſlands, or before one juſtice of the ſupreme or incial court of any province or colony, or governor or chief officer within any of his majeſty's inions, and certified by endorſement on the deed or conveyance by ſuch mayor or juſtice, under hand and ſeal of the corporation, when taken before a mayor, or the ſeal of the province or colo-governor or chief officer, when taken before ſuch juſtice, governor or chief officer, ſhall be as d and effectual in law for barring ſuch *feme-covert* of her right of dower, or inheritance, as the may be, as if the ſame examination and acknowledgment were taken and certified within this ince, according to the directions of the ſaid recited act, any thing therein, or in any other act, uſage or cuſtom to the contrary notwithſtanding. *Feme-covert* acknowledging to be barred, &c.

CHAP. XV.

ACT to eaſe the inhabitants of this province, and to empower the juſtices of the ſeveral coun-es to bind out the perſons therein mentioned apprentices. Lib. HS. fol. 627. Paſſed 6th of Dec. 1766.

To continue three years, &c. It was afterwards continued for three years, &c. by the act of 1769, ch. 3, and for ſeven years the act of June, 1773, ch. 2. Expired.

CHAP. XVI.

ACT for the ſpeedy and effectual publication of the laws of this province, and for the encourage-ent of Jonas Green, of the city of Annapolis, printer. Lib. HS. fol. 630.

CHAP.

CHAP. XVII.

Passed 6th of Dec. 1766.

A Supplementary act to the act, entitled, (a) An act to prevent the mischiefs arising from the m plicity of useless dogs, and other purposes therein mentioned. Lib. HS. fol. 633.

(a) November, 1765, ch. 10. Expired, with the principal act, in December, 1769.

CHAP. XVIII.

An ACT empowering the justices of Frederick county to levy on the taxable inhabitants of county a quantity of tobacco for building a stone wall around the public prison in said county, for other purposes therein mentioned. Lib. HS. fol. 635.

CHAP. XIX.

* 1763, ch. 18. A Supplementary act to the act, entitled, * An act for amending the staple of tobacco, for preve ing frauds in his majesty's customs, and for the limitation of officers fees. Lib. HS. fol. 636.

Expired, with its principal act, the 22d October, 1771.

CHAP. XX.

An ACT for the relief of certain languishing prisoners in the several gaols therein mentioned. L HS. fol. 640. A Private Act.

CHAP. XXI.

An ACT to aid defective common recoveries. Lib. HS. fol. 645

Preamble.

WHEREAS many valuable lands are held by the present possessors, under common recover suffered by tenants in tail, and in many instances those recoveries, although now grown co mon conveyances in this province, have been so inartificially and defectively drawn, suffered and ecuted, that the same are not aided by the beneficial and useful provisions of the late statute, entitl An act to amend the law concerning common recoveries, and to explain and amend an act made the twenty-ninth year of the reign of king Charles the second, entitled, An act for prevention frauds and perjuries, so far as the same relates to estates, *per auter viæ*; to remedy therefore s defective recoveries, and secure the titles and quiet the possessions of those who do and may hold u der them;

Certain recoveries to be good, &c.

II. BE IT ENACTED, *by the right honourable the Lord Proprietary, by and with the advice and consent his lordship's Governor, and the Upper and Lower Houses of Assembly, and the authority of the same*, T all common recoveries heretofore suffered in the provincial court of this province, by consent a agreement of the parties thereto, shall be good and available in law to all intents and purposes wh soever, to dock and cut off any estate tail in any of the parties thereto, and bar the issue in tail, w can, could, or might claim, as heir of the body or bodies of any of the parties thereto, and also bar those in reversion or remainder, who can, could, or might claim in default of issue of the body bodies of any of the parties to such recoveries, in the same manner as if such recoveries had be legally and formally suffered and executed, notwithstanding the tenant to the writ in any such r covery was not tenant of the free-hold at the time of judgment rendered, or any other defect in dra ing, suffering or executing, any of the said recoveries; provided, that some one or more of the pa ties to such recovery, at the time of such judgment, was actual tenant of the free-hold in the manor lands, tenements, or hereditaments recovered, and the persons, or some of them joining in such r covery, had a sufficient estate and power to suffer the same.

Certain conveyances to be good, &c.

III. AND BE IT ENACTED, That where any person or persons heretofore gaining an estate in fe simple, or who shall hereafter gain an estate in fee-simple, in any lands, tenements or hereditament within this province, by or under any common recovery suffered, or hereafter to be suffered, hath have conveyed away, or shall hereafter convey away, such lands, tenements or hereditaments, befo the execution of such recoveries, or before any entry made therein by the recoveror, such convey ances shall be as good and available to bar the vendors and their heirs, and all persons claiming b from or under them, as if the said recoveries had been executed, or the recoverors therein had e tered into the said lands, tenements or hereditaments, before such conveyance or conveyances there made, any law to the contrary thereof notwithstanding.

CHAP. XXII.

An ACT to remove a nuisance in Baltimore-town, in Baltimo county, and for other purposes therein mentioned. Lib. HS fol. 646.

Preamble.

WHEREAS the inhabitants of Baltimore-town, in Baltimore county, have, by their humb petition to this general assembly, set forth, that a large miry marsh, adjoining the said tow

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the noxious vapours and putrid effluvia arising therefrom, very prejudicial to the health of its itants, and that the proprietors of the said marsh have, by their perverseness or dilatoriness, to refused or neglected to remove the said nuisance, and that the said nuisance cannot be re- otherwise than by changing the surface of the said marsh into firm and dry ground; and, as legations of the said petitioners appear to this general assembly to be true,

Marsh to be made into dry ground, &c.

BE IT THEREFORE ENACTED, *by the right honourable the Lord Proprietary, by and with the advice nsent of his lordship's Governor, and the Upper and Lower Houses of Assembly, and the authority of the* That Thomas Harrison, Alexander Lawson and Brian Philpot, of Baltimore county, the nt possessors and owners of the said marsh, shall and may have liberty to remove the said nuisance, eir own proper expence, provided they comply with the directions and requisites in this act here- mentioned; that is to say, that the said Thomas Harrison, Alexander Lawson and Brian Phil- within the space of one month next after the end of this present session of assembly, shall tively make their election and determination, whether they will undertake effectually to remove oresaid nuisance at their own proper expence and charges; and, in case the said Thomas Har- Alexander Lawson and Brian Philpot, shall, within the time aforesaid limitted, elect and mine to remove the said nuisance at their own proper expence and charges, then the said Tho- Harrison, Alexander Lawson and Brian Philpot, shall, within the said time, enter into and te separate bonds, with two sufficient securities, to be approved of by Robert Alexander, John , William Smith, Jonathan Plowman, William Speer, Andrew Stygar, Charles Ridgely, juni- ohn Merryman, junior, and Benjamin Griffith, or the major part of them, who shall be and are y appointed commissioners to execute the powers and directions herein after limitted and ex- d, in the penalty of twenty pounds sterling for every acre of marsh to be made firm ground by of them, as herein after directed, payable unto the right honourable the lord proprietary, with llowing condition: "Whereas the said —— —— is seized and possessed of —— acres of marshy und, adjoining to Baltimore-town, which in its present situation is a great nuisance to the in- itants of the said town; now the condition of the above obligation is such, that if the said —— shall, within two years from the date hereof, (a) well and sufficiently remove the said sance, by wharfing in all such marshy ground next the water with a good and sufficient stone ll, not less than two feet thick, and two feet high at the least from the level of the height of common flood tides, or with hewed logs of the same height at least from the level of the com- n flood tides, and shall make the same sufficiently firm and complete, to prevent any sand, gravel dirt, from washing through the same into the water, and shall also well and sufficiently cover all h marshy ground with stones, gravel, sand or dirt, so as to raise the same not less than two feet ve the level of the common flood tides as aforesaid, and make and render the whole sufficiently , then the above obligation to be void, else to be and remain in full force and virtue in law."

(a) A further time of two years was given by 1768, ch. 22; a further time of two years by September, 1770, ch. 7.

Else to be laid out into lots, &c.

AND BE IT FURTHER ENACTED, That the commissioners aforesaid, or the major part of them, nd may, at some convenient time before the last day of February next, cause all the said marshy d to be laid out into distinct lots, each lot not to contain more than one eighth part of an acre, g such convenient streets, lanes and alleys, as to the said commissioners, or the major part of shall seem meet; and that in case the said Thomas Harrison, Alexander Lawson and Brian ot, or either of them, shall neglect or refuse, within the said time of one calendar month from fter the end of this present session of assembly, to make such election or determination, or to te such bond as aforesaid, the said commissioners, or the major part of them, shall sell and dis- of the said lots, within six months next after the neglect or refusal of the aforesaid Thomas son, Alexander Lawson and Brian Philpot, respectively, as aforesaid, to the highest bidder, first notice of such sale in the Maryland and Pennsylvania Gazettes, sixty days at the least before me.

To be part of the town.

AND BE IT FURTHER ENACTED, That when the commissioners aforesaid shall have surveyed id out the said marshy ground into lots, it shall be, and is hereby declared to be, part of Bal- e-town aforesaid, to all intents and purposes whatsoever, as fully and amply as if included ally therein, and have the same immunities and privileges as the rest of the said town have, or mer laws ought to have.

Commissioners to make conveyances, &c.

AND IT IS HEREBY FURTHER ENACTED, That upon the sale of any such part or parcels of d as aforesaid, the said commissioners, or the major part of them, shall have full power to make ecute sufficient conveyances in the law, for securing to the purchasers a good and sufficient n fee-simple to the said lots or parcels of ground, which said conveyances shall be upon an expres

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expreſs condition, that in caſe the purchaſers of ſaid lots or parcels of ground, ſhall not, w eighteen calendar months next after the date of ſuch conveyances, well and ſufficiently wha and ſecure all ſuch marſhy ground next the water, ſo by them reſpectively purchaſed, with a and ſufficient ſtone wall, not leſs than two feet thick, and two feet high at the leaſt from the lev the height of the common flood tides, or with hewed logs of the ſame height at leaſt from the of the common flood tides, and ſhall not make the ſame ſufficiently firm and complete, to vent any ſand, gravel or dirt, from waſhing through the ſame into the water, and alſo wel ſufficiently cover all ſuch marſhy ground, ſo by them reſpectively purchaſed, with gravel, dirt or ſtone, ſo as to raiſe the ſame not leſs than the ſaid height above the ſaid level, and and render the whole ſufficiently firm and ſecure to erect any buildings thereon, that then it and may be lawful for the ſaid commiſſioners, or the major part of them, to re-enter, and the to have again.

Purchaſers to have liberty to paſs, &c.

VI. AND BE IT FURTHER ENACTED, That all and every perſon or perſons whatſoever purch any lot or lots of ground from the commiſſioners, or the major part of them aforeſaid, and all cl ing by, from or under ſuch purchaſer or purchaſers, ſhall have free liberty of paſſing and repa by themſelves and their ſervants and ſlaves, with carts, horſes and carriages of all ſorts, ov parts of the ſaid marſh, to the part ſo purchaſed, until the firſt day of January which ſhall be in year one thouſand ſeven hundred and ſixty-nine.

Preſent leſſees to make dry ground of their parts.

VII. AND, whereas, ſundry perſons hold ſmall parts of the ſaid miry marſh by leaſe for li years from the ſaid Thomas Harriſon, rendering an annual rent for the ſame, BE IT ENACTED, unleſs the ſaid leſſees of the ſaid Thomas Harriſon, or their aſſignees, ſhall within one month after the end of this ſeſſion of aſſembly, enter into ſuch bond, with ſecurity as aforeſaid, for ma dry and firm ground of the parts of the ſaid marſh to them reſpectively leaſed, that then the Thomas Harriſon ſhall and may have leave to make the ſame into dry and firm ground, as afore and the rents reſerved on ſuch ground ſhall be ſo much further increaſed, as the ſaid commiſſio or the major part of them, ſhall award; and for the recovery of ſuch additional rent, the ſaid mas Harriſon, his heirs, executors, adminiſtrators and aſſigns, ſhall and may have the like re as if the ſame had been reſerved on or by the ſaid reſpective leaſes or demiſes.

Commiſſioners to be ſworn.

VIII. AND BE IT FURTHER ENACTED, That the commiſſioners aforeſaid, and every of them, and they are hereby required, before they enter upon the execution of their truſt, to take the fo ing oath, viz. "You A. B. as one of the commiſſioners appointed by the act, entitled, An act t "move a nuiſance in Baltimore-town, in Baltimore county, and for other purpoſes therein me "ed, ſhall in all things faithfully and impartially execute the powers given you by the ſaid ac "cording to the beſt of your ſkill and knowledge; ſo help you GOD."

Purchaſe money to be paid, &c.

IX. AND BE IT FURTHER ENACTED, That all and every ſum and ſums of money which ſha received by the commiſſioners for the ſale of the ſaid marſhy ground as aforeſaid, ſhall be paid i diately to the reſpective proprietors of the ſame.

Parts may be gain ſold, &c.

X. AND, for the better effectuating the purpoſe of this act intended, BE IT ENACTED, That the non-compliance of any purchaſers with the terms preſcribed by this act, the ſaid commiſſio or the major part of them, ſhall have full power and authority again to ſell and diſpoſe of all parts or parcels of ground in the manner above ſet forth.

On neglect to comply, right to ceaſe, &c.

XI. AND IT IS FURTHER ENACTED, That in caſe the ſaid Thomas Harriſon, Alexander La and Brian Philpot, or either of them, or the leſſees aforeſaid of the aforeſaid Thomas Harriſo their aſſigns, or any of them, ſhall, within the aforeſaid limitted time of one month from the e this preſent ſeſſion of aſſembly, undertake and agree to remove the ſaid nuiſance, as to their re tive parts, and ſhall alſo give the ſecurity preſcribed by this act for completing the ſame, and after fail or neglect to remove ſuch nuiſance, agreeable to the condition of their reſpective above directed to be taken, that then, and immediately after ſuch failure or neglect, the eſtate, and intereſt of the ſaid Thomas Harriſon, Alexander Lawſon and Brian Philpot, or the ſaid or their aſſigns, ſo failing or neglecting, ſhall, as to ſuch part or parts not made into firm a ground, ſecured and completed according to the directions of this act, ceaſe and determine, abſolutely void; and the ſaid commiſſioners, or the major part of them, ſhall have and are veſted with full power and authority to ſell and diſpoſe of all ſuch part of the ſaid marſhy grou in ſuch manner as the ſaid commiſſioners, or the major part of them, are by this act directed, the ſaid Thomas Harriſon, Alexander Lawſon and Brian Philpot, or either of them, and

and their aſſigns, ſhould neglect to make their election or determination as above ſet forth, money ariſing upon ſuch ſale to be paid as above directed. CHAP. XXII.

AND BE IT FURTHER ENACTED, That in caſe any of the commiſſioners ſhall die, or remove the county before the purpoſes intended by this act are fully effected, that then it ſhall be law- the ſurvivors of them to appoint one or more commiſſioners to ſucceed ſuch commiſſioners who happen to die, or remove out of the county, which ſaid commiſſioners, ſo appointed by the rs, ſhall have the ſame power and authority as if particularly named in this act, he or they ing the oath aforeſaid. How vacancies are to be filled.

AND BE IT FURTHER ENACTED, That in caſe any ſuch bond ſhall be given as aforeſaid, of the ground, for the covering and making of which into dry ground as aforeſaid the ſame all be given, ſhall not be ſo covered and made into dry ground as aforeſaid, that then ſuit or may be brought for the penalty of ſuch bond, at the requeſt of the commiſſioners aforeſaid, or or part of them, without any aſſignment thereof, and ſo much only of ſuch penalty ſhall and recovered thereupon, as ſuch ground not covered and made into dry ground as aforeſaid ſhall to, at the ſaid rate of twenty pounds ſterling per acre; and the ſaid money, ſo recovered, paid to, and received and applied by, the commiſſioners aforeſaid, or the major part of them, for the uſe of the ſaid town, for and in building convenient wharfs, or to the removing the ſance, if there ſhould be no purchaſers, or to the removing the ſaid nuiſance as to any part aid marſh purchaſed, when the terms of ſuch purchaſe ſhall not be complied with, any law to trary notwithſtanding. Bonds forfeited to be put in ſuit.

AND BE IT FURTHER ENACTED, That any perſon or perſons that ſhall build or improve on the ſaid lots to be laid out in virtue of this act as by former laws relating to the ſaid town is , and purchaſe the ſame from the ſaid proprietor or proprietors thereof, by conſent and agree- tween the purchaſer and ſuch proprietor, or in the manner before mentioned of and from the miſſioners, ſuch lot or lots, being wharfed in, ſecured, covered and made into dry ground as d, ſhall have an abſolute eſtate of inheritance in and to ſuch lot or lots. Purchaſers to have a good eſtate.

PROVIDED ALWAYS, AND BE IT ENACTED, That if the perſons herein before mentioned to proprietors of the ſaid marſhy ground, or any or either of them, ſhould not be the true and prietors, and have fee-ſimple titles in the ſaid marſhy ground reſpectively as aforeſaid, that lieu and ſtead of any recovery of the ſaid marſhy ground, or any part thereof, ſo covered de into dry and firm ground, and built and improved on as aforeſaid, the perſon or perſons ve title thereto, or their heirs, ſhall and may maintain an action of debt, or on the caſe, he ſaid perſon or perſons who ſhall have received any of the purchaſe money aforeſaid, not itle as aforeſaid, their heirs, deviſees, executors or adminiſtrators, having aſſets, and there- ver the full and real value of the ground in its preſent ſituation, ſo to be covered and made and firm ground, and built and improved on as aforeſaid, with the coſts of ſuch ſuit. Proviſo.

CHAP. XXIII.

T concerning the name of John Beale Bordley. Lib. HS. fol. 651. A Private Act. Paſſed 6th of Dec. 1766.

CHAP. XXIV.

T for amending and repairing the public roads in Baltimore county. Lib. HS. fol. 653.

ntinue until the laſt day of October, 1770, when it expired. Revived by 1771, ch. 14, for one year; continued for two c. by June, 1773, ch. 3, for three years, &c. by February, 1777, ch. 17, and for one year, &c. by March, 1780, ch. pired.

CHAP. XXV.

ACT to oblige infected ſhips and other veſſels coming into this ovince to perform quarantine. Lib. HS. fol. 655.

HEREAS great miſchiefs have ariſen from the landing of goods and paſſengers from ſhips and other veſſels coming into this province with ſervants and German paſſengers, by communi- o and ſpreading amongſt the inhabitants dangerous infectious diſtempers, begun at firſt by of people being cloſely confined together for long times in a ſmall ſpace; Preamble.

E IT THEREFORE ENACTED, *by the right honourable the Lord Proprietary, by and with the advice nt of his lordſhip's Governor, and the Upper and Lower Houſes of Aſſembly, and the authority of the* hat no ſhip or veſſel whatſoever coming into this province after the firſt day of May next, and h ſhip or veſſel there ſhall be imported more than thirty ſervants or paſſengers, ſhall be ad- Maſters of veſſels to be ſworn, &c.

CHAP. XXV.

mitted to make her entry, or land or put on ſhore any goods, paſſenger or ſervant, before the m together with two other credible perſons, ſhall make oath before the collector, or naval-officer, whom ſuch ſhip or veſſel ſhall firſt enter, "that neither the ſmall-pox, gaol fever, yellow fever, or any ſuch dangerous infectious diſtemper, is or hath been on board ſuch ſhip or veſſel on he ſage, to the knowledge or belief of ſuch captain, or other perſons taking ſuch oath reſpectiv which oath the ſaid collector or naval-officer is hereby empowered and directed perſonally, or by deputies, to adminiſter, and certificate thereof give without fee or reward.

By the conſtitution, ſection 33, the governor may order and compel any veſſel to ride quarantine, if ſuch veſſel, or from which ſhe ſhall have come, ſhall, on ſtrong grounds, be ſuſpected to be infected with the plague; and by 1793, ch. 34 2, when the governor has ſtrong grounds to apprehend that there is danger of the plague, or other malignant contagion being introduced from foreign parts, or from any of the United States, he may compel any veſſel to ride quarantine, an all intercourſe by land or water, and make the neceſſary regulations, &c.

In caſe of refuſal, an account to be tranſmitted, &c.

III. AND BE IT FURTHER ENACTED, That in caſe any ſuch ſhip or veſſel ſhall be offered to be ed, and ſuch oath ſhall be refuſed to be made, or delayed for the ſpace of forty-eight hours there that then the officer to whom application ſhall be made for entry as aforeſaid, ſhall, and he is by enjoined and ſtrictly required, immediately thereupon to tranſmit and ſend a full and diſtin count and information thereof to the governor or commander in chief of this province for the being; and on ſuch information given as aforeſaid, ſuch ſhip or veſſel ſhall be obliged to ma quarantine in ſuch place or places, for ſuch time, and in ſuch manner, as from time to time ſh that purpoſe be directed by the governor or commander in chief of this province for the time and that during the ſaid time, and until the ſaid ſhip or veſſel ſhall be diſcharged of and fro quarantine, no perſon coming, or goods imported therein, ſhall come or be put on ſhore, or board any other ſhip or veſſel within this province, nor ſhall any perſon go on board ſuch veſſel, obliged as aforeſaid to make quarantine, without licence firſt had and obtained from t vernor or commander in chief for the time being, in ſuch manner, and under ſuch limitatio reſtrictions, as he ſhall think fit to grant or allow the ſame; and that in caſe there ſhall be any of the ſaid quarantine in any reſpect, the maſter, commander, chief officer, or perſon havi charge of ſuch ſhip or veſſel, without ſuch licence as aforeſaid, ſhall, if a free perſon, forfe pay one hundred pounds ſterling, to be recovered, with full coſts of ſuit, in any court of within this province, by action of debt, bill of indictment, plaint or information, wherein no protection or wager of law, or more than one imparlance, ſhall be allowed, and if a ſervant or ſuffer ſuch corporal puniſhment, by whipping not exceeding thirty-nine ſtripes, as by two juſti the peace ſhall be ordered and adjudged, upon complaint and proof of ſuch offence.

Maſter to give information, &c.

IV. AND BE IT FURTHER ENACTED, That the maſter or commander of every ſhip or veſ porting above the ſaid number of paſſengers or ſervants into this province, after the ſaid firſt May next, ſhall, before the ſaid ſhip or veſſel ſhall be admitted to make her entry, diſcover a cloſe to the collector and naval-officer aforeſaid the number of paſſengers and ſervants impo ſuch ſhip, and if the maſter or commander of any ſuch ſhip or veſſel ſhall not make ſuch diſcov aforeſaid, he ſhall forfeit and pay one hundred pounds ſterling, to be recovered as aforeſaid.

Penalty for landing, &c. before oath, &c.

V. AND BE IT FURTHER ENACTED, That any maſter or commander of a ſhip or veſſel, imp above the ſaid number of paſſengers or ſervants as aforeſaid, who ſhall land or put on ſhore an ſenger, ſervant or goods, from on board ſuch ſhip, or ſhall ſell any ſervant imported in ſuch ſhi alſo every perſon who ſhall buy ſuch ſervant, or knowingly entertain in his or her hou paſſenger or ſervant, or receive any goods imported in ſuch ſhip, before certificate obtained o oath being made as aforeſaid, ſhall reſpectively forfeit and pay twenty pounds ſterling, to be rec as aforeſaid.

In caſe of diſtempers breaking out, &c.

VI. AND, whereas dangerous infectious diſtempers frequently break out in ſhips and veſſe porting paſſengers and ſervants into this province, on the arrival here, after healthy paſſage IT THEREFORE ENACTED, That even after ſuch certificate obtained as aforeſaid, if it ſhall be appear to the governor or commander in chief of this province for the time being, by proof, of at leaſt two credible witneſſes, that the paſſengers or ſervants imported in ſuch ſhip or ve the crew thereof, or any of them, are or is infected with, or have the gaol or yellow fever, or an dangerous infectious diſtemper, the governor or commander in chief may thereupon order ſu or veſſel to perform quarantine, in the manner aforeſaid, and under the ſame penalties as are before mentioned, to all perſons concerned.

Puniſhment for perjury.

VII. AND BE IT FURTHER ENACTED, That any perſon whatſoever falſely and corruptly the oath aforeſaid, ſhall and may be proſecuted in the ſame manner, and ſuffer the like puni

wilful and corrupt perjury; and that in any ſuit or proſecution for the recovery of any penalty this act, the defendant or defendants may, in the diſcretion of the court, be awarded to give bail, one half of all which penalties, where the recovery ſhall be by action of debt or in- ion *quitam*, to the uſe of the informer, or to him, her or them, that ſhall ſue for and recover the nd the other half thereof ſhall be paid to the ſheriff of the county where the recovery ſhall and by him paid into the hands of the treaſurer of the ſhore whereon the ſame ſhall be re- l, for the uſe of the public of this province, to be applied and laid out in the purchaſe of a and building a peſt-houſe for the reception of the infected, as the general aſſembly for the eing ſhall direct, or where the recovery ſhall be had, otherwiſe than by action of debt or in- ion *quitam*, the whole of the ſaid penalties ſhall be paid and applied to the uſes laſt aforeſaid. CHAP. XXV.

. This act to continue three years, and to the end of the next ſeſſion of aſſembly which ſhall after the expiration of the ſaid three years. Duration.

her continued for three years, &c. by 1769, ch. 4, for three years, &c. by June, 1773, ch. 2, for ſeven years, &c. by ry, 1777, ch. 17, by 1784, ch. 83, until the end of the next ſeſſion, by 1785, ch. 77, for ſeven years, &c. and by 1792, to 30th October, 1799, &c.

CHAP. XXVI.

CT for the payment of the public claims, for emitting bills of credit, and for other purpoſes ein mentioned. Lib. HS. fol. 658.

CHAP. XXVII.

CT to enable the commiſſioners of the office for emitting bills of credit to purchaſe ſtationary neceſſary for the uſe of the upper and lower houſes of aſſembly, and for other purpoſes there- entioned. Lib. HS. fol. 670.

SESSION of ASSEMBLY begun and held at the City of ANNAPOLIS, on Tueſday, the 24th day of May, in the 18th ar of the dominion of the right honourable Frederick, abſolute rd and Proprietary of the provinces of Maryland and Avalon, rd Baron of Baltimore, &c. and ended the 22d day of June, no *domini* 1768, the following laws were enacted. 1768.

HORATIO SHARPE, Esquire, Governor.

CHAP. I.

T for the adjournment and continuance of Talbot, Baltimore and Cæcil county courts. Lib. fol. 673. Paſſed 22d of June, 1768.

CHAP. II.

T to enable Mary Darnall, an infant, to enter into and accept of a marriage ſettlement and ment. Lib. HS. fol. 673. A Private Act.

CHAP. III.

CT to remedy the inconveniencies ariſing from the loſs of ſome proceedings in St. Mary's y court. Lib. HS. fol. 675.

CHAP. IV.

ACT for the preſervation of the breed of fiſh. Lib. HS. 676.

Another act 1796, ch. 32.

WHEREAS it is found by experience that large quantities of young fiſh, unfit for uſe, have been for many years paſt killed and deſtroyed by wears, dams, pots and other devices, formed ted in the rivers of Suſquehanna and Patuxent, for the taking of fiſh, whereby great quan- Preamble.

CHAP. IV.

tities of fiſh, which were formerly to be found and taken in ſaid rivers, and other rivers in this vince, are much diminiſhed, to the great damage and injury of the public; for remedy whereof

Perſons not to build or repair wears, &c.

II. BE IT ENACTED, *by the right honourable the Lord Proprietary, by and with the advice and con his lordſhip's Governor, and the Upper and Lower Houſes of Aſſembly, and the authority of the ſame,* if any perſon or perſons whatſoever, from and after the end of this ſeſſion of aſſembly, ſhall ſet up, repair or maintain, or ſhall be aiding, aſſiſting or abetting, in building, ſetting up, rep or maintaining, any ſuch wears, fiſhing dams, pots, or any other devices whatſoever, for the of fiſh within the rivers aforeſaid, by which the fiſh may be obſtructed from going up or coming the ſaid rivers, or ſhall take or deſtroy any kind of fiſh whatſoever, in any ſuch wear, fiſhing pot, or other device aforeſaid, every ſuch perſon or perſons, ſo offending, contrary to the true and meaning of this act, being legally convicted thereof by the oath of one or more credible w or witneſſes, or by his or their confeſſion, ſhall forfeit and pay the ſum of twenty pounds c money for every ſuch offence, one moiety of which ſum, ſo forfeited, to be paid to the inform proſecutor, and the other moiety thereof to be paid to the ſheriff of the county where the rec ſhall be had, to be by him paid and accounted for to the juſtices of the ſeveral county courts r tively, and by them applied towards clearing the navigation of the ſaid rivers, to be recover action of debt, bill, plaint or information, with full coſts of ſuit, in any county court of thi vince where ſuch offender ſhall be apprehended or reſide.

They may be deſtroyed.

III. AND BE IT ENACTED, *by the authority, advice and conſent aforeſaid,* That it ſhall and m lawful to and for any perſon or perſons whatſoever to break, throw down, remove and deſtroy, any ſuch wear or wears, fiſhing dam, pot or other device, built or ſet up, or to be built or ſet the aforeſaid rivers, for catching of fiſh as aforeſaid.

General iſſue pleadable.

IV. AND BE IT FURTHER ENACTED, *by the authority, advice and conſent aforeſaid,* That if an ſon or perſons ſhall be ſued or impleaded for breaking, throwing down, removing or deſtroyin ſuch wear or wears, fiſhing dam, pot or other device, built or ſet up contrary to the true inte meaning of this act, it ſhall and may be lawful for ſuch perſon or perſons to plead the genera and give this act and the ſpecial matter in evidence, and if upon trial the plaintiff or plaintiff be nonſuit, or ſhall diſcontinue his or their ſuits, then and in ſuch caſe the defendant or defe ſhall recover double coſts.

Seans may be drawn in Patuxent, &c.

V. AND BE IT FURTHER ENACTED, That no perſon or perſons whatſoever ſhall, from and the twentieth day of February next until the twentieth day of May enſuing, and ſo yearly and year during the times aforeſaid, hale, draw or lay acroſs, any ſean or ſeans, thereby to catch o any kind of fiſh in the ſaid river of Patuxent, from Mount Calvert to the head thereof, exc Tueſday, Wedneſday, Thurſday and Friday, in each week, during the times aforeſaid and the nuance of this act; and that if any perſon or perſons ſhall hale, draw or lay acroſs, any ſean or on the other day or days, except as before excepted, during ſaid time, and be thereof legally co ed, by the oath of one or more credible witneſs or witneſſes, or by his or their confeſſion, ſha feit and pay the ſum of ten pounds current money, to be recovered and applied as aforeſaid.

Proviſo.

VI. PROVIDED ALWAYS, That nothing in this act contained ſhall prevent any perſon or p whatever from erecting ſuch wears as are commonly ſet in the ſides of the rivers, any where river Suſquehanna where the tide ebbs and flows, nor in any part of the river Patuxent belo place commonly called Mount Pleaſant.

Duration.

VII. This act to continue for and during the term of three years, and to the end of the nex ſion of aſſembly which ſhall happen after the end of the ſaid three years.

Continued for three years, &c. by 1771, ch. 6, for ſeven years, &c. by February, 1777, ch. 17, for ſeven years, &c. ch. 83, to 30th October, 1798, &c. by 1791, ch. 84, and by 1798, ch. 71, enacted into a permanent law.

CHAP. V.

Paſſed 22d of June, 1768.

An ACT to prevent any obſtruction of the navigation in the Patowmack. Lib. HS. fol. 677.

Preamble.

WHEREAS it is repreſented to this general aſſembly, that the water carriage is great ſtructed by erecting fiſh-dams above the falls in the river Patowmack, and alſo in ſome river;

CHAP. V.

Fish-dams, &c. deemed nuisances, &c.

I. BE IT THEREFORE ENACTED, *by the right honourable the Lord Proprietary, by and with the advice and consent of his lordship's Governor, and the Upper and Lower Houses of Assembly, and the authority of the same*, That all fish-dams, or other devices for catching of fish, already made, or hereafter to be made, and all other erections hereafter to be made, in the river Patowmack, between the Great Falls and Evan's creek, or in the river Monococy below the dividing thereof into the two Pipe creeks, shall and are hereby deemed and declared nuisances, and may, by any person or persons, be pulled down, prostrated and abated as such; and that no person or persons whatsoever shall hereafter put, place or erect, any such fish-dam, or place or make any heap of stones, or other erection whatsoever, in the said parts of either of the said rivers, under the penalty of fifteen pounds current money for every such offence, to be recovered in any court of record within this province, with costs, by action of debt, bill of indictment, or information, wherein but one imparlance shall be allowed, one half to the informer, or him or them that will sue or prosecute to effect for the same, and the other half thereof to be paid to the sheriff of Frederick county, to be by him accounted for and paid to the justices of said county, and by them applied towards clearing or improving the navigation of the said rivers.

Penalty on persons obstructing, &c.

II. AND BE IT FURTHER ENACTED, That if any person or persons shall obstruct or hinder any other person or persons from pulling down, prostrating or abating, any such nuisance as aforesaid, or shall assault or wound any person for pulling down, prostrating or abating, any such nuisance aforesaid, or for attempting so to do, every such person, for every such offence, besides being subject to the action of the injured party for damages, shall forfeit the sum of twenty pounds current money, to be recovered with costs, and applied as aforesaid.

On suit, bail to be given.

III. AND BE IT FURTHER ENACTED, That in any action or suit for recovery of any of the said penalties, and also in any action for an assault, beating or wounding, for pulling down, prostrating or abating, such nuisance as aforesaid, or for attempting so to do, upon an affidavit, or other proof satisfactory to the court where such suit or action is depending, of there being cause for bringing the same, the defendant shall and may be compelled to give good and sufficient special bail.

Deemed a public act.

IV. AND BE IT ALSO ENACTED, That this act shall be deemed a public act, and the same shall and may be given in evidence, in justification of or for any matter or thing done by virtue thereof, on the general issue, without specially pleading the same.

Proviso.

V. PROVIDED ALWAYS, That this act, or any thing therein contained, shall not hinder, or be construed to hinder or prevent, the erecting, or causing to be erected, any bridge or bridges over the river Monococy, with convenient arches for admitting of boats and other vessels of burthen passing through the same, with the least obstruction that may be.

CHAP. VI.

Passed 22d of June, 1768.

AN ACT appointing new visitors for the public school in Frederick county, and for other purposes therein mentioned. Lib. HS. fol. 678.

Preamble.

WHEREAS the gentlemen named as visitors for Frederick county school by the act, entitled, An act for erecting a public school in Frederick county, live so remote and distant from each other, that it has been found inconvenient for them to attend and execute the duties of their office: and whereas also by the above-mentioned act it is directed, that there shall be one acre of land purchased in Frederick-town, in order to the building and erecting a county school, which it is apprehended will be attended with too much expence;

Land to be purchased, &c.

I. BE IT THEREFORE ENACTED, *by the right honourable the Lord Proprietary, by and with the advice and consent of his lordship's Governor, and the Upper and Lower Houses of Assembly, and the authority of the same*, That in order to the erecting and building a house, and other conveniencies, for a county school, there shall be one half acre of land, and no more, purchased in Frederick-town, in Frederick county, by the persons hereafter named, who shall be visitors of the said school, viz. Jonathan Wilson, Thomas Bowles, George Murdock, major Joseph Wood, Thomas Price, Caspar Shaaff and Charles Beatty, and the said persons, so nominated visitors for Frederick county school, shall qualify in the same manner, and be subject to the same penalties, and be invested with the same rights, privileges, powers and authorities, as the visitors of the other county schools within this province, and shall have succession in like manner.

III. AND

CHAP. VI. An equal dividend to be paid.

III. AND BE IT FURTHER ENACTED, That of all the duties, taxes and impoſitions, hereafter be collected, and which, ſince the twenty-ninth day of September, in the year of our Lord ſeven hundred and ſixty-three, have been collected for the uſe of the county ſchools within this provi there ſhall be paid by the treaſurers, to the viſitors aforeſaid, or their order, an equal dividend, them to be applied and expended to and for the purchaſing of one half acre of land as aforeſaid, building an houſe, and other conveniencies, as aforeſaid, and to and for the uſe and benefit of ſaid ſchool, in the like manner as the dividends due to the other county ſchools are by law dire to be applied.

CHAP. VII.

Paſſed 22d of June, 1768.

An ACT for granting to the Nanticoke Indians a compenſation the lands therein mentioned. Lib. HS. fol. 679.

Preamble.

WHEREAS the greateſt part of the tribe of the Nanticoke Indians have ſome years ago left deſerted the lands in this province appropriated by former acts of aſſembly for their uſe long as they ſhould occupy the ſame, and the few that remain have, by their petition to this gen aſſembly, prayed that they might have liberty to diſpoſe of their right to the ſaid lands, or that ſ compenſation ſhould be made them for quitting claim thereto, as they are deſirous of totally lea this province, and going to live with their brethren, who have incorporated themſelves with the Nations, and that they have given a power of attorney to a certain Amos Ogden to diſpoſe of ſaid lands for them, and to execute a releaſe and acquittance therefor, which power appears t confirmed and approved by Sir William Johnſon, his majeſty's ſuperintendent of Indian affairs for northern department: And whereas Robert Darnall and Sarah his wife, Henry Steele and Anne wife, and John Henry and Dorothy his wife, (which ſaid Sarah, Anne and Dorothy, are the heireſſes of colonel John Rider, deceaſed,) have, by their petition, ſet forth to this general aſſem that one tract of land, called The Reſerve, originally, on the fifteenth day of May, one thou ſix hundred and ſixty-five, granted to a certain John Anderton, for eight hundred acres, ano tract called Handſell, on the thirteenth day of July in the ſame year, granted to a certain Tho Taylor for ſeven hundred acres, and one other tract called Bartholomew's Cloſe, on the tenth da November, one thouſand ſix hundred and ninety-five, granted to a certain Thomas Hicks for hundred and ſixty-four acres, lie within the boundaries of a large tract of land laid out for the Indians, by virtue of an act of aſſembly, made in the year of our Lord one thouſand ſeven hund and four, entitled, An act for aſcertaining the bounds of a certain tract of land, to the uſe of Nanticoke Indians, ſo long as they ſhall occupy and live on the ſame, and that the ſaid three ſ tracts of land, became, by purchaſe and deviſe, the right of the ſaid colonel John Rider, and the verſion thereof is now in the ſaid petitioners, and prayed, as the ſaid lands had been heretofore ta from their anceſtors for the public account, that the public money might be now applied to purch a releaſe of the Indians claim to the ſame for their uſe, which this general aſſembly have thou reaſonable to grant: And whereas the ſaid Amos Ogden hath, in behalf of the ſaid Indians, offe to take the ſum of ſix hundred and ſixty-ſix dollars and two thirds of a dollar for a releaſe of ri and full acquittal of claim of the ſaid Nanticoke Indians, as well to the aforeſaid three tracts of l as to three thouſand acres lying on Broad creek, in Somerſet county, by an act made in the yea our Lord ſeventeen hundred and eleven, entitled, An act to empower commiſſioners to appoint cauſe to be laid out three thouſand acres of land on Broad creek, in Somerſet county, for the uſe the Nanticoke Indians, ſo long as they ſhall occupy the ſame; which ſaid three thouſand acres hav been paid for by the public, when the ſaid Indians ſhould ceaſe to occupy, is by the ſaid laſt rec act to be diſpoſed of as the general aſſembly ſhall direct and appoint;

A committee empowered to pay, &c.

II. BE IT THEREFORE ENACTED, *by the right honourable the Lord Proprietary, by and with the a and conſent of his lordſhip's Governor, and the Upper and Lower Houſes of Aſſembly, and the authority of ſame,* That the committee appointed this preſent ſeſſion of aſſembly to inſpect the accounts and p ceedings of the commiſſioners appointed by virtue of the act for the payment of the public cla for emitting bills of credit, and for other purpoſes therein mentioned, are hereby directed and quired to pay to the ſaid Amos Ogden, for the uſe of the ſaid Nanticoke Indians, the ſaid ſix h dred and ſixty-ſix dollars and two thirds of a dollar, out of the bills of credit now in the office longing to the country, in full ſatisfaction for the ſaid tribe of Nanticoke Indians, their claim to ſaid lands, and to take his receipt for the ſame, which payment ſhall, to all intents and purp veſt the ſaid Robert Darnall and Sarah his wife, Henry Steele and Anne his wife, and John H and Dorothy his wife, with the ſame right of entry in and claim to the ſaid three tracts of l called The Reſerve, Handſell, and Bartholomew's Cloſe, as if the ſaid Indians had totally deſer and quitted claim to the ſame, any thing in any other act of aſſembly to the contrary notw ſtanding.

III. A

CHAP. VII. Commiſſioners appointed, &c.

I, AND BE IT FURTHER ENACTED, That Meſſieurs William Allen, Levin Gale and Henry e, are hereby appointed commiſſioners, and they, or any two of them, are empowered to make f the aforeſaid three thouſand acres of land, lying on Broad creek as aforeſaid, by way of ven- to the higheſt bidder, (giving at leaſt two months notice of ſuch ſale in the Maryland and Penn- nia gazettes,) the whole together, or divided into parcels, as ſhall beſt ſuit the purchaſers, and a conveyance or conveyances thereof, the ſaid ſale to be made at twelve months credit, if re- d by any of the purchaſers, they paying intereſt from the time of the ſale, and giving bond or , with ſureties to be approved by the ſaid commiſſioners, to the treaſurer of the eaſtern ſhore he time being, for the uſe of this province; which bond or bonds, or money ariſing on the ſale, ny of the purchaſers ſhould chooſe to pay the money,) the ſaid commiſſioners ſhall return and o the ſaid treaſurer, and take his receipt for the ſame, and ſhall alſo return the ſaid receipt to next general aſſembly after ſuch ſale, as well as an account of their proceedings and expences in, which expences together with a commiſſion of five *per cent.* on the money for which the ſaid ſhall be ſold, ſhall be paid to the ſaid commiſſioners, out of the bills of credit in the office be- ng to the country, and they, the ſaid commiſſioners, ſhall then be fully diſcharged of their ſaid and ſhall not be any further anſwerable therefor.

CHAP. VIII.

Paſſed 22d of June, 1768.

pplementary act to the act, entitled, (a) An act for erecting a new pariſh in Kent county, called eſter pariſh, and for building a pariſh church, and enlarging a chapel of eaſe within the ſaid iſh. Lib. HS. fol. 681.

(a) November, 1765, ch. 22.

art of the public ground in Cheſter-town, at the corner of High-ſtreet and Croſs-ſtreet, of the extent of ninety feet on the er and one hundred and twenty on the latter, is appropriated for the building a new chapel, the yard round which is to be oſed, but no perſon is to inter, or attempt to inter, a corpſe in the ſaid yard, without incurring the forfeiture of £. 10, to be vered in an action of debt, one half for the veſtry, and the other half to the perſon who ſhall ſue.

mes Anderſon, William Ringgold, William Bordley, Emory Sudler, and James M'Clean, are empowered to contract for ding the chapel with brick, on a ſtone foundation, to be ſixty feet long, forty feet wide, and two ſtories high. The expence o be defrayed with the 50,000lb. of tobacco appropriated to this uſe by the act of aſſembly to which this is a ſupplement, the money ſubſcribed, which theſe truſtees are authoriſed to ſue for, and laſtly, with the money to ariſe from the ſale of s and of the materials of the old church.

CHAP. IX.

CT to empower the juſtices of Somerſet and Worceſter counties to levy on the taxable inhabi- ts of Stepney pariſh, in Somerſet and Worceſter counties, the quantity of one hundred and y thouſand pounds of tobacco, for the uſes therein mentioned. Lib. HS. fol. 685.

CHAP. X.

ACT for the recovery of certain amerciaments, and alſo upon efaults on executions. Lib. HS. fol. 686.

Judgments may be entered againſt ſheriffs, &c.

IT ENACTED, *by the right honourable the Lord Proprietary, by and with the advice and conſent of his lordſhip's Governor, and the Upper and Lower Houſes of Aſſembly, and the authority of the ſame,* in caſe any ſheriff or coroner ſhall be called upon, by the order of the juſtices of the pro- l, or of any county court, to bring before them any defendant or defendants, before arreſted ch ſheriff or coroner, according to the ſaid ſheriff's or coroner's return of or upon any writ, either meſne proceſs or of execution, and ſhall fail, neglect or omit, to bring into court ſuch dant or defendants, and therefore ſhall be amerced by the juſtices aforeſaid, or have his default ed, then and in either ſuch caſe it ſhall and may be lawful for the juſtices aforeſaid, in the name e plaintiff or plaintiffs, and to and for his, her or their uſe, on motion, to order and direct ent to be entered up againſt ſuch ſheriff or coroner for the ſum in which the ſaid ſheriff or coro- hall be amerced, or for the ſum and coſts recovered againſt the perſon or perſons taken on exe- n, which reſpective judgments ſhall have the force and effect, to all intents and purpoſes, of dgment rendered on the verdict of a jury.

Proviſo.

PROVIDED ALWAYS, That before the ſaid judgments ſhall become abſolute for the ſaid ſum in the aforeſaid ſheriff or coroner ſhall be amerced, or for the ſum and coſts recovered againſt the or perſons taken on execution, againſt the ſaid ſheriff or coroner, the plaintiff or plaintiffs, er or their executors or adminiſtrators, ſhall make appear, to the ſatisfaction of the juſtices aid, a demand by him, her or them, or his, her or their attorney at law, made of or from the or coroner aforeſaid, of the ſum in which ſuch ſheriff or coroner ſhall be amerced, or of the nd coſts recovered againſt the perſon or perſons taken on execution as aforeſaid, and alſo the l or neglect of the ſheriff or coroner to pay the ſame reſpective ſums, according to ſuch demand;

and

CHAP. X.

and alſo, that the plaintiff or plaintiffs, his, her or their executors or adminiſtrators, or his, her their attorney at law, in the caſe of ſuch amerciament as aforeſaid, upon the return of any being meſne proceſs, offered or tendered to the ſaid ſheriff or coroner, an aſſignment of the cau action, when the ſame cauſe of action ſhall ariſe on contract, whereupon the original writ iſſued,

Sheriff, &c. may bring ſuit, &c.

III. And be it enacted, *by the authority aforeſaid*, That it ſhall and may be lawful for the riff or coroner who ſhall be amerced as aforeſaid, and unto whom any ſuch cauſe of action, ar on contract, ſhall be aſſigned as aforeſaid, and who ſhall have paid or ſatisfied the ſame to original plaintiff or plaintiffs, his, her or their executors or adminiſtrators, or attorney at law bring ſuit thereon for the recovery of the ſame, under and by virtue of ſuch aſſignment; and the defendant or defendants, his, her or their heirs, executors or adminiſtrators, ſhall have the full advantage and benefit of defence on ſuch ſuit, to all intents and purpoſes, as he, ſhe or t might have or be entitled unto upon a ſuit proſecuted in the name of the original plaintiff or plain

See 1794, ch. 54, by which a different mode of proceeding is preſcribed with reſpect to an erciaments.

CHAP. XI.

Paſſed 22d of June, 1768.

An ACT for the relief of Joſeph Scott, of Worceſter county. Lib. HS. fol. 687. A Private

CHAP. XII.

An ACT reviving and continuing an act, entitled, (a) An act to eſtabliſh a market at the ma houſe in Cheſter-town, in Kent county, and for the regulation of the ſaid market. Lib. fol. 688.

(a) 1762, ch. 32, continued for three years, &c. Continued for three years, &c. by 1771, ch. 5, and for ſeven years, 1777, ch. 17. Expired.

CHAP. XIII.

An ACT to prohibit raiſing of ſwine and geeſe in George-town, in Kent county, and in Snow town, in Worceſter county. Lib. HS. fol. 688.

CHAP. XIV.

An ACT for erecting a court-houſe and public priſon for Baltimore county, in the town of B more, and for making ſale of the old court-houſe and priſon. Lib. HS. fol. 689.

CHAP. XV.

An ACT to prevent the exportation of flour, ſtaves and ſhingles, not merchantable, from the of Baltimore, in Baltimore county, and to regulate the weight of hay, and meaſure of grain, flax-ſeed and firewood, within the ſaid town. Lib. HS. fol. 692.

For three years, &c. Expired.

CHAP. XVI.

An ACT for the adjournment and continuance of Frederick county court. Lib. HS. fol. 698.

CHAP. XVII.

An ACT confirming to Spedding Bromwell, of Talbot county, certain lots of land therein tioned. Lib. HS. fol. 699. A Private Act.

CHAP. XVIII.

An ACT for the ſpeedy and effectual publication of the laws of this province, and for the en ragement of Anne Catharine Green, of the city of Annapolis, printer. Lib. HS. fol. 699.

CHAP. XIX.

A Supplementary act to the act, entitled, (b) An act to eſtabliſh a road from Hunting cree Dorcheſter county, to Dover, in Talbot county. Lib. HS. fol. 702.

(b) November, 1765, ch. 14.

CHAP. XX.

A Supplementary act to the act (c) to enable the viſitors of Kent co ty ſchool for the time being to leaſe out part of the land belong to the ſaid ſchool. Lib. HS. fol. 702.

(c) November, 1765, ch. 30.

Preamble.

WHEREAS the viſitors of Kent county ſchool have, by their petition to this general aſſe ſet forth, that upon examination of the plot of the ſaid ſchool land they find it impracti to lay out the ſaid land to any advantage to the ſchool, agreeable to the expreſs directions o

, and have prayed for a general power to leaſe out the ſaid land, and alſo the ten acres here- CHAP. XX.
laid out by the viſitors of the ſaid ſchool, for the uſe of the maſter of the ſaid ſchool, in ſuch
r as the viſitors of the ſaid ſchool, or the major part of them, ſhall judge moſt to the advantage
ſaid ſchool, ſtill reſerving ten acres thereof for the uſe of the maſter, to be alſo laid out in
anner as they ſhall judge proper, ſo as the ſaid ten acres ſhall include the ſchool-houſe and the
called the Free-School Spring;

BE IT THEREFORE ENACTED, *by the right honourable the Lord Proprietary, by and with the advice* Viſitors to lay
ſent of his lordſhip's Governor, and the Upper and Lower Houſes of Aſſembly, and the authority of the out land, &c.
hat the ſaid viſitors, or the major part of them, ſhall and may, and are hereby empowered,
out ten acres of the ſaid ſchool land, as they ſhall think moſt convenient, for the uſe of the
but in ſuch manner as to include the ſchool-houſe, and the ſpring called The Free-School
; and are alſo hereby empowered to demiſe and leaſe out any other part of the ſaid free-ſchool
ot included in the ſaid ten acres to be laid out for the uſe of the maſter, under yearly rent,
term not exceeding twenty-one years, on the beſt terms they can procure, and in ſuch parcels
tities as will beſt accommodate the people offering to take the ſaid land, any thing in the ſaid
which this is a ſupplement, or in any other act of aſſembly, notwithſtanding, and that the mo-
ſing on ſuch leaſes for the rents of the ſaid lands, ſhall be applied by the viſitors of the ſame
or the major part of them, as to them ſhall ſeem meet, for the benefit of the ſaid ſchool.

CHAP. XXI.

T for turning part of a ſtreet called Eaſt-ſtreet, in the city of Annapolis, and for confirming Paſſed 22d of
itle of Thomas Jenings, Eſquire, of the ſaid city, to a lot of ground therein. Lib. HS. fol. June, 1768.
A Private Act.

CHAP. XXII.

ACT to give Thomas Harriſon further time to effect the removal of a nuiſance in Baltimore-town, in Baltimore county. Lib. HS. 704.

HEREAS Thomas Harriſon, by his humble petition to this general aſſembly, has ſet forth, Preamble.
that in purſuance of the act, entitled, (a) An act to remove a nuiſance in Baltimore-town, in
re county, and for other purpoſes therein mentioned, and within the time preſcribed by the
he, the ſaid Thomas Harriſon, did elect to remove his part of the ſaid nuiſance, at his own
charge and expence, and did execute ſuch bond, in ſuch penalty, and with ſuch condition, as
ſaid act was directed, but that the removal of the ſaid nuiſance is ſo difficult a labour, that he
effect the ſame within the time limitted by the ſaid act, and therefore the ſaid Thomas Harri-
his ſaid petition, prayed further time for doing of the ſame; and, as a further time appears
general aſſembly to be reaſonable and neceſſary,

(a) November, 1766, ch. 22.

E IT THEREFORE ENACTED, *by the right honourable the Lord Proprietary, by and with the advice and* Further time
f his lordſhip's Governor, and the Upper and Lower Houſes of Aſſembly, and the authority of the ſame, allowed.
e ſaid Thomas Harriſon, for effecting the removal of his part of the ſaid nuiſance, have the
time of two years from the expiration of the time limitted by the act aforeſaid.

AND BE IT FURTHER ENACTED, That the bond aforeſaid, paſſed and executed as aforeſaid by Bond given to
Thomas Harriſon, ſhall have no other effect or operation than to ſtand as a ſecurity for ſtand.
the removal of his part of the ſaid nuiſance within the time given by this act.

CHAP. XXIII.

T to empower Mary Philpot, widow and adminiſtratrix of Brian Philpot, late of Baltimore-
in Baltimore county, merchant, deceaſed, to ſell the real eſtate of her ſaid huſband for the
ent of the debts of the ſaid Brian Philpot. Lib. HS. fol. 704. A Private Act.

CHAP. XXIV.

T for the building of a pariſh church and chapel of eaſe in Saint-John's pariſh, in Queen-
's county. Lib. HS. fol. 706.

CHAP. XXV.

T for the relief of the reverend John M'Pherſon, of Charles county. Lib. HS. fol. 707.
vate Act.

CHAP. XXVI.

Paſſed 22d of June, 1768. An ACT for the relief of certain languiſhing priſoners in the ſeveral gaols therein mentioned. HS. fol. 709. A Private Act.

CHAP. XXVII.

An ACT for licenſing ordinary-keepers, hawkers, pedlers and petty chapmen. Lib. HS. fol.

To continue three years, &c. Continued for one year, &c. by 1771, ch. 21, for ſeven years, &c. by June, 1773, ch. 2. pealed March, 1780, ch. 24.

CHAP. XXVIII.

An ACT for amending and declaring the law in the caſes therein mentioned. Lib. HS. fol.

For three years, &c. Expired.

CHAP. XXIX.

An ACT for the relief of the poor within the ſeveral counties the in mentioned. Lib. HS. fol. 721.

Supplementary acts November, 1770, ch. 7, 1771, ch. 18.

Preamble. WHEREAS the neceſſity, number and continual increaſe, of the poor within this provin very great, and exceedingly burthenſome, which might be greatly leſſened by a due re tion and employment of them;

Alms and work-houſes to be erected, &c. II. BE IT THEREFORE ENACTED, *by the right honourable the Lord Proprietary, by and with the and conſent of his lordſhip's Governor, and the Upper and Lower Houſes of Aſſembly, and the authority ſame,* That there ſhall be an alms and work-houſe erected, built and ſet up, in the ſeveral cou herein after named, at convenient places therein, at the general charge and expence of the reſpe counties where the ſaid alms and work-houſes ſhall be erected and built; and that the juſtices o ſaid county courts reſpectively for the time being, ſhall and they are hereby authoriſed and empo ed to aſſeſs and levy on the taxable inhabitants of each county, at the time of laying their reſpe county levy, a quantity, not exceeding fifteen pounds of tobacco by the poll on each and ever taxable inhabitants of their ſaid counties, in each of the years of our Lord ſeventeen hundre ſixty-eight, ſeventeen hundred and ſixty-nine and ſeventeen hundred and ſeventy, together wit ſheriff's ſalary of five *per cent.* for collecting the ſame; which ſaid aſſeſſments, ſo as aforeſaid made and levied, ſhall be collected by the ſeveral and reſpective ſheriffs of the ſaid counties fro ſeveral taxable perſons who ſhall reſide within the ſame, in the ſame manner as the public and ty levies are collected; and the ſaid tobacco, when ſo as aforeſaid collected, ſhall be paid by ſheriffs reſpectively to ſuch truſtees for the poor, or the major part of them, as are by this a pointed, who are hereby authoriſed and required to receive and apply the ſame to the uſes and poſes herein after directed.

Proviſo. III. PROVIDED ALWAYS, AND BE IT ENACTED, That it ſhall and may be lawful for the ſe and reſpective taxable inhabitants within every of the ſaid counties, to pay and diſcharge the ſeveral aſſeſſments in money, in the ſame manner as they are enabled to pay and diſcharge the or county levy.

Truſtees appointed, &c. IV. AND BE IT FURTHER ENACTED, That for the time being the five ſeveral perſons here named for each county be and are hereby nominated, appointed and named, truſtees for the within their ſeveral and reſpective counties, and are empowered with full and ſufficient authori diſcharging the ſeveral offices, duties and truſts repoſed in and required of them by this act w the ſeveral and reſpective counties wherein they reſide; that is to ſay, for Anne-Arundel co Meſſieurs Brice Thomas Beale Worthington, Thomas Dorſey, Nicholas Worthington, La Jacques and Upton Scott; for Prince-George's county, Meſſieurs John Baynes, William B Richard Duckett, John Fendall Beall and Nathaniel Magruder; for Worceſter county, Me Parker Selby, George Hayward, Peter Chaille, Lemuel Purnell and William Whittington; for derick county, Meſſieurs Jonathan Wilſon, Upton Sheredine, Thomas Bowles, Charles Beat William Beatty; for Charles county, Meſſieurs Samuel Hanſon, junior, Robert Maſtin, John ſon, Thomas M'Pherſon and Henry Smith Hawkins; the which perſons, ſo nominated, appo authoriſed and named, for the ſeveral and reſpective counties as aforeſaid, or the major part of in caſe of the death or abſence of any, are hereby required, with all convenient ſpeed, to m ſuch places within their counties as to them ſhall ſeem meet, to qualify themſelves for the o truſtees for the poor of their ſeveral and reſpective counties, which they are to do by taking the ral oaths appointed by law to be taken to the government, ſigning the oath of abjuration, and r ing and ſigning the teſt, and alſo taking the following oath, to wit: "I, A. B. do ſwear, that

y and faithfully diſcharge the duties and truſts committed to me as a truſtee for the poor for CHAP. XXIX.
county, according to the beſt of my ſkill and knowledge, and an act of aſſembly, entitled, An for the relief of the poor within the ſeveral counties therein mentioned; ſo help me GOD;" hich oaths are to be adminiſtered by any of the four perſons laſt named for the county to the firſt named, or, in his abſence, to any one of the three perſons firſt named that ſhall be there t, the which perſon, being ſworn as aforeſaid, ſhall adminiſter the oaths afore-mentioned to all ſt, and ſo ſucceſſively, the perſon firſt named that ſhall be preſent ſhall always adminiſter the aths to any that have been abſent, or ſhall hereafter be elected and choſen purſuant to the ions of this act to ſupply the place of any that ſhall be dead, or removed out of the counties, or who ſhall refuſe or neglect to qualify and act as a truſtee, when elected and choſen purſuant directions of this act; and the aforeſaid perſons, or the major part of them, being ſworn as aid, ſhall be conſtituted and qualified as truſtees for the poor of their ſaid county, and, as ſuch, reby inveſted with full power and authority, as a body politic, to plead and be impleaded, to d be ſued, to defend and be defended, to anſwer and be anſwered, by the name of The Truſor the Poor, in all and every cauſe, complaint and action, real, perſonal or mixt, of whatſoever r nature it ſhall be, in any of the courts of judicature within this province, and by that name and any of them, and their ſucceſſors, ſhall and they are hereby enabled to take, hold, poſſeſs joy, any gift, donation or preſent, which ſhall or may hereafter be given, deviſed or bequeathed, perſon or perſons whatſoever, to them, or any of them, for or towards the ſupport and maine of the poor in any of the counties aforeſaid; and they, or any of them, may receive, by way ſcription, any ſum or ſums of money which ſhall or may be given for the better and more ſpeedy ting the benefit and good by this act intended; and that they have full power, authority, lawpacity and ability, to purchaſe, take, hold, receive, enjoy and have, to them and their ſucceſr ever, any lands, tenements and hereditaments, not exceeding the yearly value of one thouounds, of any perſon or perſons whatſoever, and are hereby empowered and authoriſed to uſe mmon ſeal in their buſineſs relating to the ſaid corporation, and the ſame, at their pleaſure, to and alter; and that the ſaid perſons ſo incorporated, the longeſt livers and ſucceſſors of them, e the true, ſole and undoubted truſtees, in perpetual ſucceſſion for ever, to be continued in d manner hereafter ſpecified, with full and abſolute power, liberty and authority, in the makeordaining ſuch laws, orders and rules, for the better relieving, regulating and ſetting the work, and puniſhing vagrants, beggars, vagabonds and other offenders, and for the good goent of the ſaid alms and work-houſe in their reſpective counties, as to them and their ſucceſall, from time to time, ſeem moſt fit and requiſite, all which ſhall be obſerved by the overſeer alms and work-houſe, and by all poor, beggars, vagrants, vagabonds and other offenders, in lms and work-houſe, under the penalties therein contained; provided always, that the ſaid laws and orders, be no wiſe contrary to the laws of this province.

AND, to perpetuate the ſucceſſion of the afore-mentioned number of five truſtees for the poor of the ſaid counties, BE IT ENACTED, That as often as any one or more of the ſaid truſtees poor ſhall die, or remove himſelf out of his county, that then and ſo often, the truſtees for e being, then ſurviving and remaining within the ſaid county, or the major part of them, be hereby authoriſed and required to elect, nominate and chooſe, one or more of the principal ter ſort of the inhabitants of the county, not being related in blood to any other of the then , into the place and room of the ſaid truſtee ſo dead or removed, and ſo to fill up the full of truſtees for each alms and work-houſe, the which perſons, ſo elected and choſen, from time, are always to be qualified in the ſame manner as before by this act is directed. How vacancies are to be filled.

AND BE IT FURTHER ENACTED, That every perſon by this act appointed as a truſtee for the r that ſhall hereafter be nominated and appointed as ſuch purſuant to the directions hereof, o ſhall wilfully refuſe or delay to take upon him the ſaid office, ſhall forfeit and pay, for every fuſal or delay, the ſum of ten pounds current money; provided, that no member of the upper r houſe of aſſembly, clergyman, attorney, or practiſing phyſician, be obliged to accept of the f truſtee aforeſaid, or forfeit as aforeſaid for refuſing to accept and take upon him the ſame; at no provincial or county magiſtrate or ſheriff, or any one who hath not the qualification to ember of the lower houſe of aſſembly, if elected, ſhall be capable to be choſen or act as a aforeſaid, nor ſhall any perſon be compellable to ſerve in leſs than three years after he hath or paid the ſaid forfeiture for not ſerving as a truſtee aforeſaid. Penalty for refuſing to act, &c.

AND, for enabling the ſaid truſtees to purchaſe land, and erect an alms and work-houſe in the ſaid counties, BE IT ENACTED, That the ſaid truſtees, or the major part of them, be, y are hereby authoriſed and empowered, from time to time as occaſion ſhall require, to draw Truſtees to draw, &c.

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upon the ſeveral and reſpective ſheriffs of the ſeveral counties aforeſaid, in whoſe hands the to aforeſaid, ſo as aforeſaid to be aſſeſſed and levied, or ſuch part thereof as ſhall, by virtue of thi be ſo aſſeſſed and levied, ſhall remain, for ſo much of the ſaid tobacco as the ſaid truſtees, major part of them, ſhall from time to time think it neceſſary to draw for, for the uſes and pur directed by this act.

To purchaſe land, &c.

VIII. And be it further enacted, That the ſaid truſtees, or the major part of them, appo as aforeſaid, ſhall, and they are hereby authoriſed, directed and required, to buy and purcha fee, a quantity of land in each county, not exceeding one hundred acres; and the ſaid truſte the major part of them, appointed as aforeſaid, are hereby authoriſed, directed and require agree and contract with a workman or workmen to undertake, erect, build, and in a workma manner to complete and finiſh, on the ſaid land, when ſo purchaſed, good, ſtrong, ſufficient and venient houſes, habitations and dwellings, for the reception of the poor of each county, and of vagrants, beggars, vagabonds and other offenders, as ſhall be committed by virtue of this act they ſhall appropriate one part thereof, to be called the alms-houſe, to and for the reception lodging of the poor of the ſaid county, and another part or parts thereof, to be called the houſe, to and for the reception and lodging of all ſuch vagrants, beggars, vagabonds and oth fenders, as ſhall be committed by virtue of this act; and the aforeſaid land when bought, a aforeſaid houſes, habitations and dwellings, when built, ſhall be, and they are hereby enacte declared to be, veſted in the ſaid truſtees of that county where the ſame ſhall be bought, erecte built upon, by virtue of this act, as their eſtate and inheritance, for the uſes and purpoſes b act directed and expreſſed.

And buy beds, &c.

IX. And be it further enacted, That the ſaid truſtees, or the major part of them, appo as aforeſaid, ſhall and they are hereby authoriſed, directed and required, after the houſes, habit and dwellings aforeſaid ſhall be completely erected and finiſhed, to buy and purchaſe, for the u employment of the poor, vagrants, beggars, vagabonds and other offenders, who ſhall be commit virtue of this act, ſufficient beds, bedding, working tools, kitchen utenſils, cows, horſes, and oth ceſſaries; and the ſaid truſtees are hereby directed and required to purchaſe the ſaid quantity o not exceeding one hundred acres, as near and convenient as may be to the principal towns i county, or in thoſe counties where no ſuch towns are, as near and convenient as may be to the ſ and reſpective court-houſes of each county; and the ſaid truſtees are hereby obliged, directed a quired, to keep a fair, diſtinct and clear account, in writing, of all the monies by them exp and paid by virtue of this act, and to return a true copy thereof, and ſhew and produce the vou to ſupport the ſame, to the juſtices of the ſeveral counties aforeſaid, at their reſpective Nov courts, to be by the ſaid juſtices inſpected and examined.

Juſtices to levy money, &c.

X. And be it further enacted, That after the expiration of the ſaid three years, the ju of the ſeveral county courts aforeſaid reſpectively for the time being, ſhall and they are hereb powered to aſſeſs and levy on the taxable inhabitants of each of their ſaid counties, at the ti laying their county levies, in the year ſeventeen hundred and ſeventy-one, a quantity of to not exceeding fifteen pounds by the poll, on each and every of the taxable inhabitants in e their ſaid counties, together with the ſheriff's ſalary of five *per cent.* for collecting the ſame, ſaid aſſeſſment ſhall be made, levied, collected and paid, in the ſame manner as herein before b act is directed; which ſaid tobacco, when ſo as aforeſaid collected, ſhall be paid by ſuch ſheri ſpectively to the order of ſuch truſtees, or the major part of them, under their common ſeal, are hereby authoriſed and required to receive and apply the ſame to and for the uſe, benef charge, of maintaining the poor, vagrants, beggars, vagabonds and other offenders, in the purc proviſions and other neceſſaries for uſe and labour, in paying a doctor for his ſalary and medi in providing men and women ſervants, to be under the management and direction of an overſ ſuch alms and work-houſe, hereafter to be appointed, and in purchaſing materials for the uſe an ployment of all the poor, and all beggars, vagrants, vagabonds and other offenders, who ſhall b to work, and who ſhall be committed by virtue of this act.

Truſtees to meet, &c.

XI. And be it further enacted, That the ſaid truſtees, or the major part of them, ſha they are hereby authoriſed, obliged, directed and enjoined, to meet together on the firſt Mon May yearly, and at all ſuch other times as they ſhall judge neceſſary, at the reſpective alm work-houſe in each county, during the continuance of this act, to appoint a fit perſon of each ty to be overſeer of the alms and work-houſe in each ſeveral and reſpective county, and other officers and ſervants as to them ſhall appear neceſſary, for carrying on the buſineſs of the fai poration; and they, or the major part of them, ſhall and may agree, and they are hereby empo

the ſaid overſeer, as a ſalary, out of the tobacco and money raiſed and collected as aforeſaid, not exceeding eighty pounds current money *per annum*, and ſo *pro rato*, during his continuance ce, and ſhall then take, and the ſaid overſeer, and every other overſeer to be appointed, ſhall, e is hereby obliged to enter into a bond, with ſufficient ſureties, in the penalty of two hundred s current money, payable to the ſaid truſtees for the poor, conditioned as follows, to wit: e condition of the above obligation is ſuch, that if the above bound A. B. as overſeer of the s and work-houſe in —— county, ſhall well and truly diſcharge his duty in the ſaid ſtation, and e particularly according to the directions of the act of aſſembly, entitled, An act for the relief he poor within the ſeveral counties therein mentioned, then the above obligation to be void, erwiſe to remain in full force and virtue in law." CHAP. XXIX.

I. AND BE IT FURTHER ENACTED, That the ſaid truſtees, or the major part of them, ſhall, and are hereby directed and empowered to remove ſuch overſeer, and all other officers by them to pointed in purſuance of this act, at their diſcretion, and to proceed to chooſe others in their and ſtead. May remove the overſeer, &c.

II. AND BE IT FURTHER ENACTED, That the ſaid truſtees, or the major part of them, ſhall, hey are hereby directed and enjoined to meet at the alms and work-houſe in each reſpective y four times in the year, to wit: In the firſt week of February, May, Auguſt and November, ener, if it ſhould by them be deemed neceſſary, to make and ordain, by a majority of votes of s may be preſent, all ſuch good and wholeſome ordinances, rules and by-laws, as they ſhall convenient and neceſſary for the direction, government and ſupport, of ſuch alms and work- , and alſo for the maintenance and employment of all ſuch poor perſons as ſhall be taken under care, and of all vagrants, beggars, vagabonds and other offenders, that ſhall be committed o by virtue of this act; all which ordinances, rules and by-laws, ſhall be from time to time in- ly obſerved by all perſons concerned, according to the tenor and effect thereof. And meet four times a year, &c.

V. AND BE IT FURTHER ENACTED, That the ſaid overſeer ſhall keep a fair and regular liſt of all beggars, vagrants, vagabonds and other offenders, who ſhall be committed to their reſpective nd work-houſes, and alſo fair and regular accounts, in writing, of all materials and other things g to his hands, as overſeer aforeſaid, and of all expences and charges attending their maintenance upport, and of all monies received by him for the ſale of the produce of their labour, and wiſe as overſeer aforeſaid, and ſhall lay the ſaid liſts and accounts before the truſtees, or ajor part of them, at their meetings at the times by this act directed, or oftener, if by them ed. Overſeer to keep a liſt, &c.

. AND BE IT FURTHER ENACTED, That the ſaid overſeer may compel and oblige any of the oor, beggars, vagrants and vagabonds, or other offenders, in their reſpective alms and work- , if of ſufficient ability to work, to labour and work, and the produce of their labour he is y directed and empowered to ſell, and apply the money ariſing from ſuch ſale to their mainte- and ſupport. And compel the poor to work, &c.

I. AND BE IT FURTHER ENACTED, That upon complaint made, that any perſon, from his or ſorderly conduct, gives diſturbance to his or her neighbourhood, and is likely to become charge- o the ſaid county, city or town corporate, it ſhall and may be lawful for any one magiſtrate of id county, city or town corporate reſpectively, if upon hearing the party he ſhall adjudge the aint to be well founded, to commit ſuch diſorderly perſon, reſiding within the ſaid county, city wn corporate reſpectively, to the ſaid work-houſe, for any time not exceeding three months, he or ſhe ſhall find ſecurity, at the diſcretion of the magiſtrate aforeſaid, in any ſum not ex- g twenty pounds current money, for his or her good behaviour, and more orderly demeanour, the ſpace of ſix months; and alſo upon complaint and due proof made, by any one truſtee for oor, or any overſeer of any alms and work-houſe, to any one magiſtrate of the ſaid county, r town corporate, that any perſon in the ſaid work-houſe hath behaved and demeaned him or f in a diſorderly manner, or hath refuſed or neglected to do and perform his or her daily labour ſk, or hath refuſed or neglected to obey, keep and obſerve, any of the ordinances, rules and s of the ſaid corporation, to order and direct ſuch moderate and proper correction, not exceed- irty-nine laſhes for any one offence, to be given to ſuch offender, as the nature of the caſe equire. Diſorderly perſons may be committed, &c.

II. AND BE IT FURTHER ENACTED, That it ſhall and may be lawful to and for any of the ſaid s to direct and appoint, under their hand, in writing, what poor ſhall be received into ſuch Truſtees to di- rect, &c.

alms

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alms and work-houſe; and it ſhall and may be lawful for any one juſtice of the peace for any county, city or town corporate, and for any perſon authoriſed and appointed by ſuch juſtice, to prehend, or cauſe to be apprehended, any rogues, vagrants, vagabonds, beggars, and other diſſolute and diſorderly perſons, found loitering or reſiding in the ſaid county, city or town corpo who follow no labour, trade, occupation or buſineſs, and have no viſible means of ſubſiſtence w by to acquire an honeſt livelihood, there to be kept at hard labour for any term not exceeding months; and the overſeer of ſuch alms and work-houſe is hereby required to receive any poor pointed as aforeſaid to be received, and any rogue, vagrant, vagabond, beggar, and other idle, ſolute and diſorderly perſons, ſo as aforeſaid committed, and employ them according to the ten ſuch commitment.

Poor may be removed, &c.

XVIII. AND, to reſtrain poor people from going or removing from one county to another, BE FURTHER ENACTED, That it ſhall and may be lawful for any one juſtice of the peace, by warrant der his hand and ſeal, to remove and convey ſuch perſon to ſuch county where he or ſhe was la gally ſettled, either as a native, houſeholder, apprentice or ſervant, unleſs he or ſhe find ſufficien curity, to be allowed by the ſaid juſtice, for good behaviour and diſcharge of the ſaid county; a any perſon be removed by virtue of this act from one county to another, under the hand and ſe any one juſtice of the peace, the truſtees for the poor of the ſaid county to which the ſaid pe ſhall be ſo removed, if any alms or work-houſe ſhall be in ſuch county, are hereby required to rec the ſaid perſon removed into ſuch alms or work-houſe, if it ſhall appear to ſuch truſtees that perſon's laſt legal ſettlement was in that county.

What ſhall be deemed a legal ſettlement.

XIX. AND, to prevent any diſputes which may ariſe about what ſhall be deemed a ſettlement in the intention of this act, BE IT FURTHER ENACTED, That all poor who ſhall receive allowa or be entered as penſioners, by any county court of this province, or who ſhall be houſeholde natives within any county, ſhall be deemed and taken to have a legal ſettlement in ſuch county; if any perſon ſhall execute any public annual office or charge in any county during one whole or ſhall be charged with and pay his public or county levy, ſuch perſon ſhall be adjudged and de to have a legal ſettlement in the ſame county; and if any unmarried perſon ſhall be hired in county for one year, ſuch ſervice, during the ſpace of one year, ſhall be adjudged and deemed a ſettlement; and if any perſon ſhall be bound an apprentice by indenture, or by any county co this province, and inhabit any county, ſuch binding and inhabitation ſhall be adjudged a good tlement.

Perſons received to wear a badge, &c.

XX. AND BE IT FURTHER ENACTED, That every perſon who ſhall be received into any alm work-houſe and there receive relief, ſhall, upon the ſhoulder of the right ſleeve of the upper garment of every ſuch perſon, in an open and viſible manner, wear ſuch badge or mark as is be after mentioned and expreſſed; that is to ſay, a large Roman P, together with the firſt letter of name of the county whereof ſuch poor is an inhabitant, cut either in red or blue cloth, as by overſeer of the poor it ſhall be directed and appointed; and if any ſuch poor perſon ſhall neglect refuſe to wear ſuch badge or mark as aforeſaid, and in manner as aforeſaid, it ſhall and may be ful for any one of the truſtees aforeſaid, where any ſuch offence ſhall be committed, to puniſh ea ſuch offender for every ſuch offence, either by ordering of his or her relief or uſual allowance t abridged, ſuſpended or withdrawn, or otherwiſe by ordering ſuch offender to be whipt, not exceed twenty laſhes, and kept to hard labour for any number of days not exceeding twenty-one, as to ſaid truſtee, in his diſcretion, ſhall moſt ſeem meet; and if any overſeer of the poor ſhall rec into any alms and work-houſe, or ſhall relieve any ſuch perſon, not having and wearing ſuch ba or mark as aforeſaid, and be thereof convicted upon the oath of one or more credible witneſs or neſſes, ſhall forfeit and pay the ſum of five pounds current money.

Penalty on keeping booth, &c.

XXI. AND BE IT FURTHER ENACTED, That whoſoever ſhall preſume either to ſet up a boo ſtall or other conveniency, for the ſelling of ſtrong liquors, on the land purchaſed in any of the co ties aforeſaid for the uſe of an alms and work-houſe, or ſhall commit any kind of treſpaſs thereon ſhall ſell or diſpoſe of any ſtrong liquor, or other matter or thing whatſoever, to any poor, or o perſon entertained in ſuch alms and work-houſe, ſhall, for every ſuch offence, forfeit and pay the of ten pounds current money.

Penalties, &c. how to be recovered, &c.

XXII. AND BE IT FURTHER ENACTED, That all and every the pains, penalties and forfeit herein before by this act directed and inflicted, ſhall and may be recovered in any court of re within this province, by action of debt, founded on this act, or indictment, wherein no eſſoin, tection or wager of law, or more than one imparlance, ſhall be allowed, any thing in this act be

contained to the contrary thereof in anywiſe notwithſtanding, one moiety to the informer, her moiety to the uſe of the alms and work-houſe where ſuch recoveries ſhall be had and ob- ; in which actions of debt it ſhall be ſufficient for the plaintiff to allege, that the defendant endants are indebted to the plaintiff the ſums of money or tobacco by this act directed and in- whereby the plaintiff's action accrued to him, according to the form of this act of aſſembly, t ſetting forth the ſpecial matter; provided a ſhort note, expreſſing the cauſe of action, be in the office at the time of iſſuing the writ. CHAP. XXIX.

II. AND BE IT FURTHER ENACTED, That all ſheriffs, bailiffs, conſtables, and all other officers niſters of juſtice, ſhall be aiding and aſſiſting to the ſaid truſtees for the poor in each of the ſaid s, and to all ſuch officers as ſhall be employed by them, as by this act is directed, in the exe- and performance of the ſaid ſervice. Sheriffs, &c. to aid truſtees, &c.

V. AND BE IT FURTHER ENACTED, That if any perſon or perſons ſhall, at any time or times, d or proſecuted for any matter or thing by him or them done and executed in purſuance and ion of this act, or of any matter or thing in this act contained, ſuch perſon or perſons ſhall and ead the general iſſue, and give this act and the ſpecial matter in evidence for his or their de- and if upon trial a verdict ſhall paſs for the defendant or defendants, or if the plaintiff or ffs ſhall become nonſuited, or diſcontinue his or their ſuit, then ſuch defendant or defendants ave and recover treble coſts to him or them awarded againſt ſuch plaintiff or plaintiffs, and if intiff or plaintiffs is or are unable to ſatisfy the ſame, then it ſhall be paid and ſatisfied by the y who brought ſuch ſuit, unleſs the plaintiff or plaintiffs ſhall give ſecurity for the coſts, to be ed of by the court in which ſuch ſuit is brought. General iſſue pleadable.

V. AND, to prevent individuals being unreaſonably burthened with the execution of this act, tees for the poor, BE IT ENACTED, That at the time of the meeting of the ſaid truſtees for the the firſt week of May yearly, the ſaid truſtees, or the major part of them, in the counties id reſpectively, ſhall and may elect and chooſe one of the beſt inhabitants of the ſame county truſtee for the poor of that county, in the ſtead of the firſt named or eldeſt of the ſaid truſtees ſame county, which ſaid firſt named or eldeſt truſtee ſhall be, and is by virtue hereof, thence- iſcharged from his office. A truſtee to be elected yearly.

SESSION of ASSEMBLY begun and held at the CITY of NNAPOLIS, on Friday, the 17th day of November, in the 19th ar of the dominion of the right honourable FREDERICK, abſolute ord and Proprietary of the provinces of Maryland and Avalon, ord Baron of Baltimore, &c. and ended the 20th day of Decem- r, *anno domini* 1769, the following laws were enacted. 1769.

ROBERT EDEN, ESQUIRE, GOVERNOR.

CHAP. I.

T for the naturalization of Peter Haldimand. Lib. RG. fol. 1. A Private Act.

CHAP. II.

T continuing an act, entitled, (a) An act for repairing the public roads in this province, he ſupplementary act thereto. Lib. RG. fol. 2.

(a) 1753, ch. 16, and 1756, ch. 12, continued for ſeven years, &c.

CHAP. III.

T continuing an act, entitled, (b) An act to eaſe the inhabitants of this province, and to wer the juſtices of the ſeveral counties to bind out perſons therein mentioned apprentices. RG. fol. 2. Paſſed 20th of Dec. 1769.

November, 1766, ch. 15, continued for three years, &c. Continued for ſeven years, &c. by June, 1773, ch. 2. Expired.

CHAP.

CHAP. IV.

Paſſed 20th of Dec. 1769.

An ACT continuing an act, entitled, (a) An act to oblige infected ſhips and other veſſels co into this province to perform quarantine. Lib. RG. fol. 3.

(a) November, 1766, ch. 25, continued for three years, &c.

CHAP. V.

An ACT continuing an act, entitled, (b) An act to increaſe the allowance of jurors attendi provincial and county courts, and for other purpoſes therein mentioned. Lib. RG. fol. 3.

(b) November, 1765, ch. 33, continued for ſeven years, &c. Expired.

CHAP. VI.

An ACT continuing an act, entitled, (c) A ſupplementary act to the act, entitled, An act f certaining what damages ſhall be allowed upon proteſted bills of exchange. Lib. RG. fol. 4.

(c) November, 1765, ch. 3, continued for three years, &c. Continued for ſeven years, &c. by June, 1773, ch. 2. ſeven years, &c. by October, 1780, ch. 12. Expired. The principal act 1715, ch. 7, was repealed by 1785, ch. 38.

CHAP. VII.

An ACT continuing an act, entitled, (d) An act for amending the ſtaple of tobacco, for preve frauds in his majeſty's cuſtoms, and for the limitation of officers fees, and the ſupplementa thereto. Lib. RG. fol. 4.

(d) 1763, ch. 18, continued to 1ſt October, 1770, and by September, 1770, ch. 1, to 22d October, 1771. Expired

CHAP. VIII.

An ACT for applying a ſum of money in bills of credit to the uſe therein mentioned. Lib fol. 5. A Private Act.

CHAP. IX.

An ACT to ſecure to Thomas Smyth the right in a lot of land in Cheſter-town. Lib. RG. A Private Act.

CHAP. X.

An ACT for appointing places for holding the next election of delegates for Baltimore co Lib. RG. fol. 6.

CHAP. XI.

An ACT for the relief of Mary Hindman, of Talbot county. Lib. RG. fol. 8. A Private

CHAP. XII.

An ACT to enable the juſtices of Queen-Anne's county court for the time being to levy on th able inhabitants of St. Luke's pariſh, in the ſaid county, a quantity of tobacco for building pel in the ſaid pariſh. Lib. RG. fol. 8.

A Supplement November, 1770, ch. 3.

CHAP. XIII.

A Supplementary act to the act, entitled, (e) An act for laying out anew, and ſettling and aſce ing the future bounds and limits of St. Luke's, Chriſt Church and St. John's pariſhes, in Anne's county, and of St. Paul's pariſh, lying partly in Queen-Anne's and partly in Talbot ty. Lib. RG. fol. 10.

(e) November, 1765, ch. 37, repealed by September, 1770, ch. 9.

CHAP. XIV.

An ACT for emitting bills of credit, and other purpoſes the mentioned. Lib. RG. fol. 13.

Preamble.

WHEREAS an emiſſion of a ſum of money in bills of credit, is, at this time of general ſc of ſpecie, thought expedient for carrying on the trade and commerce of this province circulating whereof it is judged beſt to iſſue the ſame upon loan;

Bills of credit to be printed, &c.

II. BE IT THEREFORE ENACTED, *by the right honourable the Lord Proprietary, by and with the and conſent of his lordſhip's Governor, and the Upper and Lower Houſes of Aſſembly, and the authority ſame,* That bills of credit of the denomination of dollars, and parts of a dollar, to the amo three hundred and eighteen thouſand dollars, ſhall be printed and ſtruck with all convenient on good ſingle paper, under the care and direction of the commiſſioners to be appointed by vir this act, in manner and form following, to wit: " This indented bill of —— ſhall entitle the " hereof to receive bills of exchange, payable in London, or gold and ſilver, at the rate of

rs and six-pence ſterling per dollar for the ſaid bill, according to the directions of an act of ly of Maryland. Dated in Annapolis, this —— day of —— *anno domini* ——;" which bills ſhall be ſigned, numbered and dated, by the commiſſioners aforeſaid, as herein after di- and the number of dollars, or the parts or part of a dollar, by which each bill ſhall be de- ed, ſhall be printed at the top of ſuch bill, in words at length, with the like devices and n the bills, and by the like ſtamps and flowers, as were uſed in printing the bills of credit ted in this province, as well readily to diſtinguiſh their ſeveral denominations, as to prevent feits; the number of which bills, as well as the denominations thereof, ſhall be the following, other, to wit: Twelve thouſand bills of eight dollars each, twelve thouſand bills of ſix dol- h, twelve thouſand bills of four dollars each, twenty-one thouſand bills of two dollars each, one thouſand bills of one dollar each, twenty-one thouſand bills of two third parts of a dol- , eighteen thouſand bills of half a dollar each, twenty-one thouſand bills of one third part ar each, eighteen thouſand bills of two ninth parts of a dollar each, eighteen thouſand bills ixth part of a dollar each, and eighteen thouſand bills of one ninth part of a dollar each; ſaid commiſſioners are hereby directed and required to uſe the beſt of their care and diligence ſaid bills, according to their reſpective denominations aforeſaid, and according to the man- form aforeſaid, be forthwith printed, and that the number of any of the denominations be not exceeded, or any clandeſtine or fraudulent practice uſed, by the printer, his ap- s, ſervants, or others, concerned therein.

Printer, &c. to be ſworn, &c.

ND BE IT ENACTED, That the printer who ſhall be employed in printing and ſtamping the of credit, and all his apprentices and ſervants which he may employ in the ſaid work, ſhall, e or they begin or enter upon the ſame, take, before ſome juſtice of the provincial or county he following oath, to wit: "I, A. B. do ſwear, that I will truly, faithfully and honeſtly, n the duty of printer, agreeable to the directions of an act of aſſembly of this province, en- An act for emitting bills of credit, and other purpoſes therein mentioned, and will not ad- print or ſtamp any greater number of blank bills of credit than in that act mentioned, or er denominations than therein expreſſed, except ſuch ſheets as may be blotted, unfair or fect, in the impreſſing or printing thereof, that the ſame ſhal be unfit for uſe; ſo help me and if ſuch printer himſelf, or any of his apprentices or ſervants with his privity, ſhall ad- rint or ſtamp any greater number of the bills aforeſaid, or of any other denominations than act is limitted and expreſſed, contrary to the true intent and meaning thereof, ſuch printer feit and pay the ſum of five hundred pounds current money, to be recovered by action of bill of indictment, wherein not more than one imparlance ſhall be allowed; and any ap- or ſervant of ſuch printer, who ſhall adviſedly print or ſtamp any greater number of the eſaid, or of any other denominations, than by this act is limitted and expreſſed, contrary to intent and meaning thereof, ſhall, on conviction in due courſe of law, receive corporal nt, by whipping, not exceeding thirty-nine ſtripes.

Commiſſioners to attend the preſs, &c.

E IT ALSO ENACTED, That the printer of the ſaid bills ſhall not, by himſelf, ſervants, or r perſon by him employed, preſume to print, ſtamp, ſtitch or bind the ſaid bills, or any of t in the preſence of one or both of the ſaid commiſſioners, who are hereby required and di- be preſent, and at all times, when there ſhall be any intermiſſion of the ſaid work of printing g, the ſaid commiſſioners ſhall ſafely and ſecurely lock up the preſs, ſtamps and flowers, ich the ſaid work ſhall be performed, and the impreſſions that ſhall be then made, in the which the printing and binding aforeſaid ſhall be done, and the keys of ſuch room ſhall keep poſſeſſion; and when all the ſaid bills ſhall be printed and ſtamped, the ſtamps and flowers by ch impreſſions ſhall be made ſhall be delivered by the printer to the ſaid commiſſioners, under lty of five hundred pounds current money, to be recovered as aforeſaid; and the ſaid commiſ- re hereby directed and required to receive the ſaid ſtamps and flowers into their poſſeſſion, ſame ſafely keep in one of the iron cheſts in their office, under the penalty of five hundred current money each, to be recovered as aforeſaid; and the ſaid commiſſioners ſhall, out of of credit to be emitted in virtue of this act, iſſue and pay to the printer who ſhall print, tch and bind the ſaid bills of credit, one thouſand of the ſaid dollars, for his ſaid ſervices, paper, ink and other materials neceſſary for the ſaid work.

Perſons counterfeiting to ſuffer death, &c.

D BE IT FURTHER ENACTED, That any perſon or perſons who ſhall counterfeit any of bills of credit, or who ſhall forge any of the bills of exchange directed to be drawn by this ter the ſum expreſſed in any of the ſaid bills of credit, or bills of exchange, and his, her aiders or abettors, or who ſhall offer, or cauſe to be offered, in payment, or utter, or cauſe ered, any ſuch counterfeit, forged or altered bill of credit, or bill of exchange, knowing

CHAP. XIV.

the ſame to be counterfeit, forged or altered, and ſhall be thereof convict by due courſe of l
ſtand mute, or peremptorily challenge above the number of twenty of the pannel, ſhall ſuffer
as a felon or felons, without benefit of clergy; and all perſons into whoſe hands any of t
counterfeit, forged or altered bills may happen to come, ſhall forthwith deliver the ſame t
provincial or county juſtice, who ſhall cauſe the name of him, her or them, that deliver the
and of the perſon or perſons from whom the ſame was taken, to be endorſed on the back t
which bill or bills ſhall be ſafely kept by the ſaid provincial or county juſtice, and be forth
when there may be occaſion.

VI. AND, whereas the truſt to be repoſed in the ſaid commiſſioners will be of very hi
portance to the public, and will require perſons of known and approved character, and ſuch
well converſant in buſineſs, and have an extenſive knowledge of the circumſtances of the inha
of this province; BE IT THEREFORE ENACTED, *by the authority, advice and conſent aforeſaid*, T

Office to be kept at Annapolis, &c.

office ſhall be kept at Annapolis, under the management of two ſuch perſons, commiſſioner
ſhall reſide in the city of Annapolis, to be nominated and appointed by the governor or com
in chief of this province for the time being, to put this act in execution, who ſhall have po
remove either of them in caſe of miſbehaviour or diſability to act; which commiſſioners ſhall be
and called, Commiſſioners for emitting Bills of Credit, and by that name and ſtyle ſhall ha
tinuance and ſucceſſion during the continuance of this act, for directing, managing and perfo
all matters and things hereby enjoined and required to be done and tranſacted by them; and if
of the ſaid commiſſioners ſhall happen to die, reſign or be removed as aforeſaid, it ſhall and
lawful for the governor or commander in chief for the time being, from time to time, dur
continuance of this act, to appoint ſome other fit perſon or perſons in the place or places
commiſſioner or commiſſioners ſo dying, reſigning or removed, as aforeſaid, which commiſſio
be appointed by virtue of this act, ſhall be able and capable in law, by the name of the Commi
for emitting Bills of Credit, to ſue and implead, be ſued and impleaded, anſwer and be anſwe
all caſes relating to the truſt hereby repoſed in them, in all courts and places whatſoever,
that name to do and execute all other matters and things that to them ſhall or may appertai
and perform, purſuant to this act; and that the ſaid commiſſioners for the time being ſhall
tend from nine of the clock in the forenoon till twelve, and from two of the clock in the aft
till four, every Tueſday in the months of November, December, January and February, a
eight of the clock in the morning till twelve, and from two of the clock in the afternoon
every Tueſday in the other months of the year, or oftener if required, during the continu
this act; and ſuch of the ſaid commiſſioners as ſhall execute the ſaid truſt, ſhall be allowed
the ſaid bills of credit, for their ſervice and trouble, after the rate of four hundred dollars e
the firſt year, and after the rate of three hundred and twenty dollars for every year after,
the continuance of this act; but the ſaid commiſſioners, before they enter upon the execu
their ſaid truſt, ſhall ſeverally, before ſome juſtice of the provincial court, enter into bon
two or more ſufficient ſureties, jointly and ſeverally, in the penalty of ſix thouſand pounds
money each, payable to the right honourable the lord proprietary for the time being, condition
the obſervance and execution of the truſt hereby repoſed in them, and ſhall alſo before ſuc
vincial juſtice, (who is hereby empowered and required to adminiſter the ſame,) take the
oaths appointed by law to be taken to the government, ſubſcribe the oath of abjuration, and
and ſubſcribe the teſt, and take the following oath, to wit: "I, A. B. do ſwear, that I will, a
"ing to the beſt of my ſkill and knowledge, faithfully, impartially and truly demean myſelf
"charge of the truſt committed to me by an act of aſſembly of this province, entitled, An a
"emitting bills of credit, and other purpoſes therein mentioned, according to the purport and
"of the ſaid act, ſo as none may be prejudiced by my conſent, privity or procurement; ſo he
"GOD."

Commiſſioners to give directions, &c.

VII. AND BE IT FURTHER ENACTED, That the ſaid commiſſioners, after they are ſo qualified
proceed to give directions for printing the ſaid bills of credit, according to the directions of th
and after the ſame are ſo printed, ſhall ſign and number ſo many of the ſaid bills of credit a
amount to three hundred thouſand dollars, for emiſſion, and no more, and number counterp
them, and ſuch of them as ſhall, from time to time, be ſo ſigned, ſhall depoſit and keep in one
iron cheſts, now in the houſe called The Paper Currency Office, with two ſtrong and ſubſt
locks of different conſtruction, and that each commiſſioner ſhall keep a key, to the end that n
of credit which ſhall be ſigned be taken out or diſpoſed of but by or in the preſence of both th
commiſſioners, which cheſt ſhall be kept by them, in the repoſitory of the ſaid office; and their
ſhall be kept and all the buſineſs relative to this act ſhall be done in the ſaid houſe called The
Currency Office, belonging to the province; and the ſaid commiſſioners ſhall keep true, fai
meth

ical accounts of all their tranſactions and proceedings in virtue of this act, which accounts a tee of both houſes of aſſembly ſhall be appointed every ſeſſion to inſpect and examine; and committee ſhall inſpect and examine the accounts and proceedings of the ſaid commiſſioners, hereby required and enjoined to lay a full and fair ſtate of their proceedings before ſuch com- to the end they may be ſatisfied that the ſums for which bills ſhall have been iſſued purſuant act be not exceeded, and may be acquainted from time to time with the ſtate of the whole ions and affairs relating to the ſaid office, and of the management and behaviour of the ſaid ioners, which committee ſhall, every ſeſſion, report to the aſſembly the ſtate and condition of office, and the conduct and behaviour of the ſaid commiſſioners.

And provide books, &c.

. AND BE IT FURTHER ENACTED, That the ſaid commiſſioners ſhall, at the proper coſt and of the province, out of the ſaid bills of credit, provide books, paper, ink, quills, wax, wa- inted blank bonds, and other neceſſaries, for putting this act in execution; and for the more management of the affairs relating to the ſaid truſt, the ſaid commiſſioners are hereby empow- chooſe and employ a fit and able perſon for their clerk, to whom they ſhall pay, for his out of the bills of credit aforeſaid, at the rate of three hundred dollars per year for the firſt nd at the rate of two hundred and fifty dollars per year every year afterwards; which clerk, n as one ſhall be ſo appointed, ſhall, before he enters upon the execution of his ſaid office, ſome provincial juſtice, enter into bond, with ſufficient ſureties, jointly and ſeverally, in the of one thouſand pounds ſterling, payable to the right honourable the lord proprietary for the ing, conditioned for his faithful and honeſt diſcharge of his duty of clerk aforeſaid, and for ing true, fair and regular accounts and entries of the proceedings of the ſaid commiſſioners, ll alſo, before ſuch juſtice, who is hereby empowered and required to adminiſter the ſame, e ſeveral oaths appointed by law to be taken to the government, ſubſcribe the oath of abju- repeat and ſubſcribe the teſt, and take the following oath, to wit: "I, A. B. do ſwear, that l truly and faithfully perform and execute the office and duty that is directed and required of clerk of the commiſſioners for emitting bills of credit, by an act of aſſembly of this province, ed, An act for emitting bills of credit, and other purpoſes therein mentioned, and that I eep a juſt and true account of all bills of credit which ſhall be iſſued and paid out of the ſaid and of the names of thoſe to whom the ſame ſhall be paid and delivered, and all other ne- y accounts relating to the ſaid bills of credit, and true entries make of all other proceedings ranſactions of the ſaid commiſſioners, without any fraudulent practice whatſoever; ſo help OD."

Bonds to be recorded, &c.

AND BE IT FURTHER ENACTED, That the provincial juſtice or juſtices before whom the ſaid f the ſaid commiſſioners, or their clerks, ſhall be entered into, ſhall endorſe an order, under eir hands, on the back of the ſame bonds reſpectively, requiring the clerk of the provincial mediately to record, among the land records of his office, ſuch bond and order, and the ſame all, within five days thereafter, deliver to the clerk of the provincial court, under the pe- one hundred pounds, to be recovered as aforeſaid, and the ſaid clerk ſhall immediately ſo he ſame, and after the recording aforeſaid, deliver the original to the regiſter of the chance- t, to be by him ſafely kept in the chancery office, and an atteſted copy of the record of the d and order from the provincial records, ſhall be as good evidence, to all intents and pur- s if the original was produced and proved in court.

Bills to be lent out, &c.

ND, to the end the ſaid bills of credit may be as equally uſeful to the inhabitants of this pro- nd the circulation thereof as ſpeedy and diffuſive as poſſible, BE IT ENACTED, That the ſaid credit ſhall and may be, by the ſaid commiſſioners, lent out to any perſon or perſons inhabit- reſiding within this province, in ſterling, at the rate of four ſhillings and ſix-pence ſterling ar, upon intereſt, on bond, with good ſecurity, in manner herein after directed; that is to any time within the firſt ſix months next after the iſſuing any of the ſaid bills of credit to be by virtue of this act, any ſum or ſums not exceeding one thouſand dollars, nor leſs than one dollars, to one and the ſame perſon or perſons; and at any time after the end of the ſaid ſix any ſum or ſums not leſs than one hundred dollars to one and the ſame perſon or perſons; pective borrower, at the time of any ſuch loan, where the ſame doth not exceed three thou- lars, giving bond, with one or more ſureties, at the diſcretion of the ſaid commiſſioners, re ſuch loan doth exceed three thouſand dollars, giving a ſeparate bond for every three l dollars of ſuch loan, with one or more ſureties as aforeſaid, who, at the time thereof, be bound as ſureties in the ſaid office for any ſums to the amount, in the whole, of more r thouſand dollars, to the intent that not more than four thouſand dollars in the whole ny time reſt on the ſolvency or ſufficiency of the ſame ſureties; all which bonds ſhall be

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payable to the ſaid commiſſioners for the time being, in double the principal ſum, conditioned for payment of the ſum lent, with intereſt, at the rate of four *per cent.* by the year, at ſome ſhort time to be agreed upon; and it is hereby declared to be the duty of the ſaid commiſſioners, not to regard applications for the loan of money, or tranſacting any other buſineſs in their office, but only in order and according to their priority, which applications ſhall be perſonally made, and at the ſame time that the loan of money, or the doing any other buſineſs in the ſaid office, ſhall be required.

Sureties to have a fee-ſimple eſtate, &c.

XI. AND BE IT FURTHER ENACTED, That upon all loans by this act intended, the commiſſioners ſhall take all poſſible care that each of the ſureties on the ſaid loans have an indefeaſible eſtate in fee-ſimple, in meſſuages, lands, tenements and hereditaments, ſituate, lying and being within this province, in the whole to double the value for all the ſums for which they ſhall be ſureties, free from incumbrances, except the lord proprietary's quit-rents; and for the better diſcovery of incumbrances which may affect the real eſtates of any borrower or borrowers, his, her or their ſurety or ſureties, ſhall and may be lawful for the ſaid commiſſioners, or ſuch as they ſhall appoint, from time to time, to make ſearches in any offices in this province, and if there be occaſion, take copies or tranſcripts of the dockets, or notes of any judgments, mortgages and entails, or other incumbrances, kept in any of the ſaid offices, without paying any fee or reward for the ſame.

Bonds to be a lien, &c.

XII. AND BE IT FURTHER ENACTED, That all bonds ſo entered into, as alſo all other bonds given by the commiſſioners aforeſaid, for money, bills of credit or bills of exchange, to be lent by virtue of this act, ſhall be a lien upon and bind the real eſtates of the obligor, and his ſureties, into whoſe hands ſoever the ſame may come, from the day of the execution of ſuch bond or bonds reſpectively; and when any perſon or perſons, who ſhall, during the continuance of this act, paſs any bond or bonds, for any ſum or ſums borrowed in virtue of this act, payable to the commiſſioners aforeſaid, ſhall fail in payment of the intereſt or principal, and need may require ſuing any ſuch bond or bonds, for the better ſecuring the ſums due, it ſhall and may be lawful for the commiſſioners for the time being to cauſe the clerk of the provincial court to enter ſuch bond or bonds in the records of the ſaid court, and thereupon to order proceſs, in the nature of a *ſcire facias*, againſt the debtor or debtors, or his, her or their heirs, executors, adminiſtrators or deviſees, and the ſurety or ſureties of the debtor or debtors, or the heirs, executors, adminiſtrators or deviſees, of ſuch ſurety or ſureties, or each of ſuch ſurety and ſureties reſpectively, to appear and ſhew cauſe, at the then next provincial court, if any they have, why execution ſhould not iſſue on ſuch bond or bonds, which proceſs being ſerved twenty days before the return thereof and no appearance entered, or if appearance, no cauſe ſhewn to the contrary at the ſaid court to which the ſame is returnable, it ſhall and may be lawful, by the direction of the ſaid commiſſioners, to iſſue execution againſt the body, goods or chattels, lands or tenements, rights or credits, of ſuch defendant or defendants, according to the nature of the caſe, having reſpect to the right or degree in which ſuch defendant or defendants ſhall ſtand or be.

Commiſſioners, how to proceed.

XIII. AND BE IT FURTHER ENACTED, That in caſe any obligor or obligors, his, her or their heirs or ſureties, after execution of ſuch bond or bonds, ſhall have aliened or conveyed away the whole or any part of his, her or their meſſuages, lands, tenements or hereditaments, it ſhall and may be lawful for the ſaid commiſſioners to proceed in manner aforeſaid, by *ſcire facias*, againſt the alienee, tenant or tenants, who being warned twenty days before the return of ſaid proceſs, in manner aforeſaid, and not appearing, or if appearing not ſhewing ſufficient cauſe to the contrary, execution ſhall and may be iſſued, againſt the lands, tenements and hereditaments, ſo aliened or conveyed away, by *fieri facias* or otherwiſe, agreeable to the directions of the ſaid commiſſioners.

Defendants to plead, &c.

XIV. AND BE IT FURTHER ENACTED, That in all caſes whatſoever, where any ſuch proceſs as aforeſaid ſhall be iſſued on ſuch bond or bonds, and ſerved as aforeſaid twenty days before the return thereof, it ſhall and may be lawful for the juſtices of the provincial court, and they are hereby authoriſed and required, to oblige the defendant or defendants to plead to iſſue the firſt court, and try the ſame without any imparlance, unleſs it appear, by affidavit, that a material witneſs or witneſſes is or are abſent beyond ſea, or is or are ſick or unable to attend within the province, in which caſe and no other, an imparlance may be granted, at the diſcretion of the ſaid court.

Goods taken to be ſold, &c.

XV. AND BE IT FURTHER ENACTED, *by the authority aforeſaid*, That in caſe any goods or chattels, lands or tenements, ſhall, at the inſtance of the ſaid commiſſioners, be taken in execution, by virtue of any *fieri facias* or attachment, by way of execution, or otherwiſe, the ſheriff or coroner, as the caſe may be, ſhall, after giving ten days notice, by advertiſements ſet up in the moſt public places in the county, of the ſale of goods and chattels, of the time and place of

nd thirty days notice as aforeſaid, and three weeks publication thereof in the Maryland Gazette ſale of lands and tenements, ſet up and expoſe to ſale, in the moſt public manner, ſuch goods ttels, lands or tenements, to the higheſt bidder, for gold or ſilver, at the rates ſpecified in this r bills of credit, any law, uſage or cuſtom, to the contrary in anywiſe notwithſtanding; and ſo of the money ariſing by ſuch ſale as ſhall be ſufficient for that purpoſe, ſhall be, and the ſame eby directed and required to be, by the ſaid ſheriff or coroner, forthwith paid and ſatisfied to id commiſſioners, towards the diſcharge and payment of the principal money and intereſt which e due on the ſaid bond or bonds, and coſt; and in caſe there ſhall be any reſidue over and above ent for the purpoſes aforeſaid, ſuch reſidue ſhall be, and is hereby directed to be, by the ſaid or coroner, returned to the ſaid defendant or debtor; and for all monies that ſhall come to the of any ſheriff, or wherewith he ſhall be chargeable, on any proceſs iſſued by virtue of this act, fice bond of ſuch ſheriff, and his ſureties therein, is hereby declared to be liable.

Sureties, &c. to have the ſame proceſs, &c.

VI. AND BE IT FURTHER ENACTED, That in all caſes where the ſurety or ſureties in any bond nds for loans to be made by virtue of this act, his, her or their heirs, executors, adminiſtrators, ees or alienees, ſhall be called upon for the payment of the principal money and intereſt due on, and ſhall actually pay the ſame, the commiſſioners aforeſaid for the time being ſhall and may, hey are hereby required to aſſign the ſame bond or bonds to the perſon or perſons paying the by writing under their hands and ſeals, by virtue of which payment and aſſignment the perſon rſons ſo paying or diſcharging the ſame ſhall be entitled to have in his, her or their own name mes, the like proceſs and execution againſt the body, goods, chattels, lands, tenements and itaments of the principal debtor, his heirs, executors, adminiſtrators, deviſees or alienees, as ommiſſioners themſelves might have had in caſe of non-payment.

Names to be made known, &c.

VII. AND, that the borrowers in the ſaid office, and their ſureties, may be the better known to erſons who may incline to make purchaſes of land within this province, or have other dealings in, BE IT ENACTED, That the commiſſioners aforeſaid ſhall, at all times when they are attend- he ſaid office during the continuance of this act, make known the names of any debtor or debtors, their ſureties, and the ſum or ſums they may be indebted, to any perſon applying for the ſame, out fee or reward.

Debts, how to be diſcharged.

VIII. AND BE IT FURTHER ENACTED, That any debtor to the ſaid office on loan as aforeſaid, for ills of credit ſo to be lent out, may diſcharge his debt and intereſt due to the ſaid office either in aid bills of credit, or bills of credit heretofore iſſued by the act, entitled, (a) An act for the pay- of the public claims, for emitting bills of credit, and for other purpoſes therein mentioned, or ver and gold at the rates and value following, to wit:

	L.	*S.*	*D.*	Sterling.
iſh ſilver dollars at	0	4	6	each.
iſh coined ſilver at their ſterling rates and values.				
iſh guineas at	1	1	0	each.
Johannes of Portugal gold, weighing 9 dwts. at	1	16	0	each.
ores, weighing 6 dwt. 18 gr. at	1	7	0	each.
iſh piſtoles, weighing 4 dwt. 6 gr. at	0	16	6	each.

any other gold coin of the ſame fineneſs of Spaniſh or Portugal coin at £. 3 17 6 ſterling per ounce.

the ſaid commiſſioners are hereby directed and required to receive the ſame accordingly, either rincipal or intereſt, and ſo received, to let out on loan again, in manner aforeſaid, except ſuch e bills of credit as were heretofore iſſued by the laſt mentioned act; all which ſaid laſt mention- ills of credit the ſaid commiſſioners are hereby directed and required, as they come in, to keep rate and ſafe in the ſaid iron cheſt, ſubject to the inſpection of the committee of aſſembly as ſaid.

(a) November, 1766, ch. 26.

IX. AND, whereas it is directed and required by the ſaid act, that the keys of the repoſitory and cheſt in the ſaid office ſhould, in the intervals of aſſembly, be delivered, one to the governor, to the preſident of the council, and one to the ſpeaker of the lower houſe of aſſembly, to be by reſpectively ſafe kept, and alſo that the committee of aſſembly ſhould, in ſeſſion time, have the ſion thereof, and ſhould change torn and defaced bills, and pay off ſuch of the public claims as d not have been paid by the commiſſioners appointed by the ſaid recited act within the time ein limitted, and alſo correſpond with the truſtees in London; BE IT NEVERTHELESS HEREBY ENACTED,

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Commiſſioners to have cuſtody of the keys, &c.

ENACTED, That the ſaid commiſſioners by this act to be appointed ſhall have the care and cuſtod the ſaid keys, repoſitory, iron cheſt and bills of credit, now in the office, and ſhall at any time after, on application of any perſon or perſons having any of the ſaid bills of credit, iſſued as a ſaid, which ſhall be torn or defaced, and unfit to paſs, without fee or reward, receive in ſuch and defaced bills, and them ſafe keep, to be counted and burnt by the committee of aſſembly, vering to ſuch perſon or perſons bills of credit out of thoſe now remaining in the iron cheſt aforeſaid, to the amount of ſuch torn and defaced bills, and pay off ſuch of the ſaid public clai are ſtill unpaid, in the ſame manner as the ſaid committee were directed to do; and the ſaid com oners ſhall correſpond with the truſtees reſiding in London, as the committee of aſſembly afor were by the ſaid recited act directed, any thing in the ſaid act to the contrary notwithſtanding.

Defaced bills to be exchanged, &c.

XX. AND BE IT FURTHER ENACTED, That upon application, during the continuance of this to the commiſſioners aforeſaid, by any perſon or perſons having any bill or bills of credit t emitted by virtue of this act, torn or defaced, and unfit to paſs, the ſaid commiſſioners are he required, without fee or reward, to ſign and deliver a new bill or bills of credit to ſuch perſo perſons in lieu of ſuch torn or defaced bill, or bills of the ſame value therewith, and to number keep counterparts of the new bills ſo delivered, and alſo to keep ſuch torn and defaced bills ſo t in, together with an account of the ſame, for the inſpection of the committee of aſſembly aforeſa

Not to circulate more than twelve years, &c.

XXI. AND BE IT FURTHER ENACTED, That the ſaid bills of credit by this act to be emitted, not continue in circulation for a longer time than twelve years from the tenth day of April n and for the ſinking the ſame, the commiſſioners aforeſaid are hereby required, within the firſ months of the laſt year of the ſaid twelve years, to call in all the debts due in the ſaid office on l to the end the ſaid bills of credit may be brought in, and burnt or deſtroyed; and that within laſt ſix months of the ſaid twelve years, to wit, at any time between the tenth day of October, w ſhall be in the year of our Lord one thouſand ſeven hundred and eighty-one, and the tenth da April, which ſhall be in the year of our Lord one thouſand ſeven hundred and eighty-two, any pe or perſons who ſhall have the property in, or poſſeſſion of, any number of the ſaid bills of credi be iſſued by virtue of this act, ſhall be hereby entitled, by delivering the ſame to the ſaid comm oners, to demand and receive from them the full ſterling amount of the ſaid bills of credit ſo deli ed, either in good bills of exchange, at forty days ſight, to be drawn by the ſaid commiſſioner the truſtees aforeſaid, reſiding in London, or gold and ſilver as rated in and by this act.

Or be lent out in the laſt year. &c.

XXII. AND BE IT FURTHER ENACTED, That it ſhall not be lawful for the ſaid commiſſioners to l out any bills of exchange, bills of credit, or gold or ſilver, within the laſt year of the twelve ye aforeſaid, and they are hereby empowered, within the ſaid laſt year, but not before, to receive good bills of exchange, at not more than forty days ſight, payable at ſome houſe in London, if of ed in diſcharge of any of the loans by this act directed, which bills they ſhall, as ſoon as may remit to the truſtees in London, to be preſented for payment; and the ſaid truſtees are hereby quired, if any of the ſaid bills of exchange are not paid, to return proteſts immediately to the commiſſioners, to recover the money and damages that may be due thereon, and if paid, to keep money in their hands to the credit of the public of this province, out of which to pay ſuch bills the ſaid commiſſioners ſhall draw on them to the proprietors or poſſeſſors of ſuch bills of credit ſhall be brought in; and the ſaid commiſſioners are directed to draw bills of exchange, at forty d ſight, on the ſaid truſtees, for the purpoſe aforeſaid, any thing herein contained to the contr notwithſtanding.

Proviſo.

XXIII. PROVIDED NEVERTHELESS, That the bond or bonds for which ſuch bills of exchange m be tendered or offered, ſhall not be given up, nor be underſtood to be diſcharged, until advice h be received of the payment of ſuch bills in London, but that there ſhall be an endorſement made the back of the bond for which ſuch bills of exchange ſhall be paid, of the receipt thereof, and w the ſaid bills ſhall be paid in London, or, if proteſted, when the ſum, damages and charges of prot ſhall be paid and ſatisfied, and not before, the ſaid bond ſhall be diſcharged and given up, but u then ſhall ſtand and remain as a lien and ſecurity, as fully and effectually as when firſt executed; a the ſaid commiſſioners ſhall keep a fair account of all the ſaid bills of credit ſo to be received in well in diſcharge of debts aforeſaid as for which they ſhall have drawn bills of exchange, or p gold and ſilver, and lock up the ſaid bills of credit in the iron cheſt aforeſaid, to be examined, c celled and deſtroyed, by a committee of aſſembly, at the next ſeſſion after receipt thereof.

Truſtees appointed, &c.

XXIV. AND BE IT FURTHER ENACTED, That Meſſieurs Oſgood Hanbury, Sylvanus Grove a James Ruſſell, merchants, in London, are hereby declared to be the preſent truſtees, to do and p

all and every the truſts ſtill continuing under former acts of aſſembly, as well as thoſe eſtabliſhed irected by this act to be executed in London.

V. AND, whereas it is directed by the ſaid recited act for payment of the public claims, for ing bills of credit, and for other purpoſes therein mentioned, that one commiſſioner ſhould be ated and appointed to receive and take in the bills of credit which are put in circulation by the t, to employ a clerk, and draw bills of exchange on the truſtees in London to the proprietors ſaid bills of credit in ſatisfaction thereof, which by this act is become unneceſſary, as it may well done by the ſaid commiſſioners to be appointed by virtue of this act; BE IT THEREFORE ED, That the ſaid commiſſioners, within the time appointed by the ſaid recited act, ſhall and Commiſſioners to receive bills, &c. ereby directed and required to receive and take in the ſaid bills of credit, draw bills of exchange perſon or perſons who ſhall have poſſeſſion thereof on the truſtees in London, and do and per- every thing that was directed by the ſaid act to be done by the ſaid one commiſſioner; and the truſtees in London are hereby directed and required to accept and pay ſuch bills, in the ſame er as they are directed by the ſaid recited act to accept and pay the ſaid one commiſſioner's bills e purpoſe aforeſaid, any thing in the ſaid recited act to the contrary notwithſtanding.

VI. AND, whereas it appears to this aſſembly, by the account lately received from the truſtees ndon, that this province hath now thirty-four thouſand pounds capital ſtock in the Bank of Eng- twenty-four thouſand of which, with its accumulation, will be ſufficient to ſink the bills of lately emitted and now in circulation, at the time appointed by law for them to be called in, hat great advantage may be gained to this province by ſelling out the other ten thouſand pounds l at this time, when the price of ſtock is very high, and putting out the ſterling money to in- in the province, and trade thereby be the better ſupported and carried on; BE IT ENACTED, the truſtees aforeſaid reſiding in London ſhall be and are hereby authoriſed and required to ſell Stock to be ſold, &c. e ſaid ten thouſand pounds capital bank ſtock, in ſuch ſums as they may think moſt to the ad- ge of this province, for the beſt price, in money, that can be got for the ſame, at not leſs than undred and fifty pounds ſterling for one hundred pounds of the ſaid capital ſtock, and the pro- thereof retain in their hands for payment of the bills of exchange herein after directed to be on them by the commiſſioners aforeſaid, and of ſuch ſales immediately adviſe the ſaid com- ners.

VII. AND BE IT FURTHER ENACTED, That the commiſſioners aforeſaid, after they ſhall be ſo Bills of exchange to be lent out, &c. d of the ſale of the ſaid bank ſtock, or any part thereof, on the application of any perſon or s reſiding and inhabiting within this province to borrow ſterling money in bills of exchange, ereby required to lend out upon intereſt, on bond with good ſecurity, in the ſame manner, in ums, and on the ſame terms and conditions, as herein are directed reſpecting the loan of bills of to be emitted by virtue of this act, bills of exchange, drawn by the ſaid commiſſioners on the es aforeſaid, payable at thirty days ſight, to the amount and value in the whole of the produce ſaid ten thouſand pounds capital ſtock, or ſuch part thereof as ſhall be ſold as aforeſaid, to be n again in gold and ſilver, or bills of credit now in circulation, or to be emitted by virtue of t.

VIII. AND BE IT FURTHER ENACTED, That the ſaid commiſſioners, as ſoon as may be after Copies to be tranſmitted, &c. hall be appointed by virtue of this act, ſhall tranſmit to the truſtees reſiding in London, by dif- opportunities, two copies of this act, and ſhall, before any money or bills of exchange ſhall be em iſſued, give notice, by advertiſement in the Maryland Gazette for at leaſt four weeks ſuc- ely, of the times they ſhall begin to iſſue ſuch bills of credit or bills of exchange reſpectively.

IX. AND BE IT FURTHER ENACTED, That the ſaid commiſſioners ſhall and they are hereby Intereſt to be paid annually, &c. ed and required to compel the punctual payment of the intereſt annually which ſhall be due on ans to be made by virtue of this act, within three months after the ſame ſhall reſpectively be- due, and for any intereſt they ſhall receive, ſhall give a receipt to the perſon paying the ſame, n default of ſuch payment of intereſt, ſhall cauſe ſuch proceſs as aforeſaid to be iſſued, to call in principal and intereſt, and ſhall and may lend out again in manner aforeſaid ſuch gold and ſilver, ls of credit to be emitted by virtue of this act, as they may from time to time receive in from orrowers aforeſaid.

X. AND, more effectually to enforce the regular and punctual payment of the intereſt which become due on the ſaid loans, and in which the public is ſo greatly intereſted, BE IT ENACTED, Commiſſioners &c. liable. in caſe the commiſſioners aforeſaid ſhall not iſſue proceſs on any of the ſaid bonds by the ſpace of

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of six months next after the interest on such bond shall be due and payable, then the said commissio shall be chargeable with, and their said office bonds and their sureties therein be liable for, not the principal money and interest due on such bonds, but also interest on the interest, as it shall a till actual payment into the said office of the principal and all such interest on the same bond.

When bills of exchange may be drawn, &c.

XXXI. AND, the better to support the credit of the said bills now to be emitted, BE IT ENAC That whenever the current exchange between this province and London shall be more than a rate of four shillings and six-pence sterling per dollar, that is, when dollars will not purchase bi exchange at that rate or under, then, and so long as the exchange shall keep so above par, it not be lawful for the said commissioners to lend out any of the bills of credit they may then hav their office; and it shall and may be lawful also, whenever exchange shall be at or above par, th when bills of exchange will purchase gold or silver at the sterling rates aforesaid, or the bills of e aforesaid, or under the rate of four shillings and six-pence sterling per dollar, for the said com sioners to draw bills on the trustees in London as aforesaid, for any part of the produce of th thousand pounds capital stock that shall not be lent out as aforesaid, and sell them for the bes change to be had, not under par, for gold and silver, or bills of credit as aforesaid, and the same out in manner aforesaid, but shall not then lend out any of the said bills of exchange, any thing i in contained to the contrary notwithstanding.

XXXII. AND, whereas it appears to this general assembly, that there is now in the hands of liam Hunt and Mary Hunt, acting executors of Thomas Hunt, who was sole executor of Wil Hunt, deceased, late of London, merchant, the sum of four hundred and seventy pounds six shil and ten-pence sterling money, belonging to the public of this province, and also, that there is i hands of Jonathan Smith, executor of Peter Bayard, late of Cæcil county, deceased, the sum of hundred and eighty-eight pounds five shillings current money, remaining undisposed of, part of five hundred pounds formerly taken out of the loan-office to build the gaol for Cæcil county; B

To be lent out on interest, &c.

FURTHER ENACTED, That the said commissioners are hereby authorised and required to lend out said sum of sterling money, on interest as aforesaid, on bond and good security, in manner as he before directed, and to draw a bill or bills of exchange at forty days sight therefor to the perso persons who shall borrow the same, on the said William Hunt and Mary Hunt, acting executo aforesaid, the payment of which bills shall be a full discharge to the said William Hunt and M Hunt from the public of this province, for the said money; and also, that the said commissioners and may receive from the said Jonathan Smith the said sum of one hundred and eighty-eight po five shillings current money, and the same, when received, lend out on interest, with securi aforesaid, for the use of the province, and such payment so made by the said Jonathan Smith be a full discharge to him.

XXXIII. AND, to the intent that the public money may be drawn into circulation, and the exi cies of individuals be supplied on the payment of moderate interest, and the public thereby be

Lists required to be returned, &c.

fited, BE IT FURTHER ENACTED, That the several lists and payments required to be returned made to the treasurers of the western and eastern shores of this province respectively, by an a assembly, entitled, An act for licensing ordinary-keepers, hawkers, pedlers and petty chapmen, from henceforth be returned and made to the commissioners aforesaid, by the times, in the man and under the same penalties, as the same by that act were to be returned and paid to the treasu aforesaid, any thing in the said last mentioned act contained to the contrary notwithstanding; the monies which shall be paid to the commissioners aforesaid by the said sheriffs, shall be placed at interest, on loan, on bond with good security, in the same manner in every respect as herein fore directed as to the loan of bills of credit to be emitted in virtue of this act.

Monies, how to be applied.

XXXIV. AND BE IT FURTHER ENACTED, *by the authority aforesaid*, That all monies and bill exchange which shall remain in the said office, or in England in stock, or in the hands of the trustees, or in the hands of the debtors for the loans aforesaid, and the interest arising therefr after all the said bills of credit by this act emitted shall be called in and sunk, shall be applied disposed of in such manner and form as the assembly of this province shall direct and appoint.

Deemed a public act.

XXXV. AND BE IT HEREBY DECLARED AND ENACTED, That this present act shall be taken allowed as a public act, and all judges, justices, and other persons concerned, are hereby required take notice thereof as such, without pleading the same specially.

Disposition of penalties, &c.

XXXVI. AND BE IT FURTHER ENACTED, That all penalties and forfeitures which shall be curred and recovered under this act, shall be received by the sheriff of the county wherein such cou

ſhall be had, and be by ſuch ſheriff paid, after deducting five *per centum* for his commiſſion, one ereof to the informer, if any, and the other half thereof, if any informer, or if no informer e whole, in the hands of the ſaid commiſſioners, to be by them lent out on intereſt in man- eſaid.

XVII. PROVIDED ALWAYS, and it is the true intent and meaning of this act, That nothing contained ſhall extend, or be conſtrued or taken, to make any tender of the ſaid bills of cre- liſcharge of any contract whatſoever, lawful, except ſuch contracts as ſhall or may be made y and ſpecifically for, or for the delivery of, ſuch bills of credit. Proviſo.

XVIII. PROVIDED ALSO, AND BE IT HEREBY ENACTED, That no commiſſioner, or his ſure- ll be liable, by any bond to be taken by virtue of this act, for any fault or miſcarriage in the on of any of the truſts committed to the commiſſioners aforeſaid, other than ſuch as ſhall hap- he time of the continuance of the reſpective commiſſioner. Proviſo.

XIX. AND, whereas the ſtadt-houſe in the city of Annapolis is ſo much gone to decay that it e neceſſary to build a new one, as well for the holding aſſemblies and provincial courts, as iding ſafe and ſecure repoſitories for the public records, which are now kept in the preſent uſe; BE IT ENACTED, *by the right honourable the Lord Proprietary, by and with the advice and foreſaid*, That one good and commodious houſe, to be called the Stadt-houſe, ſhall be built, as conveniently may be, in the city of Annapolis, on the hill whereon the preſent ſtadt-houſe o be well and ſecurely covered with good ſlate, tile or lead, under the inſpection and direc- the honourable Daniel Dulany, Eſquire, and Meſſieurs Thomas Johnſon, junior, John Hall, Paca, Charles Carroll, barriſter, Lancelot Jacques and Charles Wallace, who are hereby d ſuperintendents for that purpoſe, or the major part of them, with good and convenient rooms upper and lower houſes of aſſembly, and for holding the provincial court, ſeparate from each wo convenient rooms for the uſe of jurors attending the provincial court, and four conveni- ns for the uſe of committees of the lower houſe of aſſembly, and alſo good, convenient, ſafe re rooms for offices and repoſitories of the records of the upper and lower houſes of aſſem- h court of chancery, high court of appeals and provincial court, prerogative court and land- nd that a ſum, not exceeding ſeven thouſand five hundred pounds ſterling, be applied to the purpoſe of building and finiſhing the ſame, and enlarging, repairing and encloſing, the parade id city. A ſtadt-houſe to be built, &c.

AND BE IT FURTHER ENACTED, That the ſaid ſuperintendents, or the major part of them, ſhall are hereby empowered and required, as ſoon as conveniently may be, to agree with proper n to build and finiſh the ſaid houſe, in ſuch manner and form as to them ſhall ſeem moſt conve- the uſes and purpoſes aforeſaid, and to enlarge, repair and encloſe the ſaid parade in manner fter directed, and to purchaſe and provide all materials neceſſary for the ſame, and to cauſe to be, with all convenient diſpatch, built and finiſhed in a ſtrong and neat manner. Superintendents to agree with workmen, &c.

AND BE IT FURTHER ENACTED, That the ſaid parade ſhall be laid with flag or other ſtone, l, and ſhall be encloſed with iron paliſades, to be ſet up and fixed upon a good ſtone or ll; provided always, that the expence of the iron, and working thereof, ſhall not exceed dred pounds ſterling; and provided alſo, that the ſaid parade ſhall not be extended in length the preſent length thereof, nor made to exceed, in the whole breadth thereof, one hundred y feet. Parade to be laid with flag, &c.

AND, for defraying the expence thereof, BE IT FURTHER ENACTED, That the ſaid ſuperin- s, or the major part of them, ſhall and may, from time to time as the money ſhall be wanted, ders on the honourable Charles Hammond, Eſquire, treaſurer of the weſtern ſhore, his execu- adminiſtrators, on Edward Lloyd, Eſquire, late treaſurer of the eaſtern ſhore, his executors or rators, and on the executors or adminiſtrators of James Hollyday, Eſquire, and Beddingfield Eſquire, late treaſurers of the eaſtern ſhore, for all the monies in their hands reſpectively, o the application of the general aſſembly at the time of ſuch draught, including the monies by them in virtue of the ſaid act, entitled, An act for licenſing ordinary-keepers, hawkers, and petty chapmen, whoſe orders for the ſame the ſaid treaſurers, or their repreſentatives , are hereby required to pay; and the ſaid ſuperintendents, or the major part of them, may apply the monies to be ſo received towards defraying the expence of building and finiſhing ſtadt-houſe, and enlarging, repairing and encloſing the ſaid parade, and if the ſame ſhall fall the neceſſary expence thereof, it ſhall and may be lawful for the commiſſioners for emitting Superintendents to draw orders, &c.

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bills of credit, to be appointed by virtue of this act, to pay to the ſaid ſuperintendents for bu
the ſaid ſtadt-houſe, or the major part of them, ſo many of the ſaid bills of credit as may be
ent to defray the expence of finiſhing and completing the ſaid houſe, and enlarging, repairin
encloſing the ſaid parade, in manner aforeſaid, any thing herein before contained to the co
notwithſtanding.

Proviſo.

XLIII. PROVIDED ALWAYS, That the bills of credit ſo to be paid for the purpoſes aforeſa
gether with the money to be received from the ſaid treaſurers, and their repreſentatives as afo
at the exchange of thirty-three pounds ſix ſhillings and eight-pence *per centum*, and at the r
four ſhillings and ſix-pence ſterling per dollar, ſhall not exceed the ſaid ſum of ſeven thouſa
hundred pounds ſterling.

A fair account to be kept.

XLIV. AND BE IT FURTHER ENACTED, That the ſuperintendents aforeſaid for building th
ſtadt-houſe, or the major part of them, ſhall keep fair and diſtinct accounts of all monies whic
ſhall receive and expend by virtue of this act, and the ſame ſhall, from time to time, lay befo
general aſſembly of this province for the time being, for their inſpection.

Preſent houſe to be pulled down, &c.

XLV. AND, to the end that the ſuperintendents aforeſaid may be enabled to cauſe the ſai
houſe to be built large and commodious enough for the purpoſes aforeſaid, BE IT FURTHER EN
That they, or the major part of them, may cauſe the preſent ſtadt-houſe to be pulled dow
make uſe of any of the materials thereof in the new building that may be fit for ſuch uſe, or
wiſe diſpoſe of them to the beſt advantage, and ſhall and may hire and provide, at the public
ſafe and ſecure rooms for offices and repoſitories for the records now kept in the preſent ſtadt
until the offices and repoſitories to be built in the new ſtadt-houſe ſhall be finiſhed and fit to
the ſaid records.

Houſe veſted in the juſtices, &c.

XLVI. AND BE IT FURTHER ENACTED, That after the ſaid ſtadt-houſe ſhall be built and
as aforeſaid, the houſe in which the upper-houſe of aſſembly uſually ſits, and the room ther
joining, commonly called the conference chamber, ſhall be and are hereby veſted in the juſti
the time being of Anne-Arundel county, to and for the uſe of the ſame county, and the
Annapolis, in which houſe the county court of that county ſhall from time to time be held,
ſame houſe ſhall, to every intent and purpoſe, thenceforth be deemed the county court-houſe
ſaid county, and the records of the ſame court ſhall be hereafter kept in the ſaid room, cal
Conference Chamber, and at all times, when the ſaid county court ſhall not be ſitting, the
court, and the meetings of the corporation of the city of Annapolis, may be held in the ſaid

Who are to levy money, &c.

XLVII. AND BE IT FURTHER ENACTED, That the juſtices of Anne-Arundel county aforeſ
the time of laying the levy of the ſaid county for the year ſeventeen hundred and ſeventy-on
be and are hereby empowered and required to aſſeſs and levy on the taxable inhabitants of
county any quantity they may judge neceſſary, not exceeding forty-five thouſand pounds of to
over and above the ſheriff's ſalary of ſix *per cent.* for collecting the ſame, for taking and pulling
the preſent chimney to the ſaid conference chamber, and building and erecting a chimney to
houſe, in the paſſage leading from the council room to the conference chamber, as near alike
be in the part thereof out of the roof to the chimney of King William School, and for erecti
putting up a bench or ſeat for the juſtices, bar, and galleries for jurors, in the ſaid houſe,
making above ſtairs two jury rooms, and for repairing and otherwiſe fitting up the ſaid ho
room, as convenient as may be, for a court-houſe and county clerk's office, and alſo for roug
the walls of the ſaid houſe, room, and King William School aforeſaid; which ſaid tobacco
aſſeſſed, ſhall and may be collected by the ſheriff for the time being in the ſame manner that
lic and county levies are by law to be collected, and ſhall be payable in money at the ſame
ſuch levies are payable; and all monies and tobacco that ſhall be collected as aforeſaid, ſhall
out and expended by the juſtices aforeſaid for the time being in and for the purpoſes aforeſa
by the ſheriff who ſhall collect the ſame paid to their order or orders.

CHAP. XV.

Paſſed 20th of Dec. 1769.
* 1715, ch. 46.

A Supplementary act to the act, entitled, * An act for the dire of ſheriffs in their offices, and reſtraining their ill practices w this province. Lib. RG. fol. 29.

Preamble.

WHEREAS by the ſaid act it was, among other things, enacted, that no ſheriff or ſub within this province, after the publication thereof in their ſeveral and reſpective c

CHAP. XV.

ein they dwell, ſhould take any bond, bill, or other writing obligatory, of any perſon or per- upon any pretence whatſoever, without endorſing the account on the back of the ſaid bond, writing obligatory, for which the ſame was paſt, and that if any ſheriff or ſub-ſheriff within rovince ſhould, during the time that he remained in his place or office, upon any pretence what- take any bond, bill or writing obligatory, without endorſing the account on the backſide of id bill, bond or writing obligatory as aforeſaid, by which it might appear upon what conſidera- he ſame was taken, the ſaid bond, bill or writing obligatory, ſhould be void and of no effect, e officer or officers that took the ſame ſhould loſe his debt, and for ever be debarred of ſuing ther action for the recovery of the ſame: And whereas it is found by experience that the ſaid ion hath been often eluded by ſheriffs and under-ſheriffs, their taking promiſſory notes and other n ſecurities for fees by them illegally charged, without endorſing on ſuch notes the account for the ſum mentioned in ſuch notes became due, which hath been underſtood not to be within roviſion of the ſaid act above recited, to the great damage and injury of many of the good peo- this province; for remedy whereof,

No ſheriff to take any mortgage, &c.

BE IT ENACTED, *by the right honourable the Lord Proprietary, by and with the advice and conſent of dſhip's Governor, and the Upper and Lower Houſes of Aſſembly, and the authority of the ſame*, That no or ſub-ſheriff within this province, after the firſt day of February next, ſhall take any mortgage, ſſory note or inland bill of exchange whatever, of any perſon or perſons, upon any pretence ſoever, without endorſing the account on ſuch mortgage, promiſſory note or bill of exchange, hich the ſame was paſſed; and if any ſheriff or ſub-ſheriff within this province ſhall, after the rſt day of February next, during the time that he ſhall remain in his ſaid office, upon any pre- whatſoever, take any mortgage, promiſſory note or inland bill of exchange, without endorſing ccount on ſuch mortgage, note or bill of exchange, by which it may appear for what conſidera- he ſame was taken, the ſaid mortgage, note or bill of exchange, ſhall be void and of no effect, he officer or officers that took the ſame, and his and their aſſigns, ſhall loſe the ſaid debt, and er be debarred from any other action for the recovery of the ſame, any law, uſage or cuſtom contrary notwithſtanding.

On taking bond, &c. to deliver an account, &c.

AND BE IT FURTHER ENACTED, That whenſoever any ſheriff or ſub-ſheriff aforeſaid ſhall, after id firſt day of February next, take any bond, bill or writing obligatory, or any mortgage, pro- y note or inland bill of exchange, he ſhall deliver to his debtor, if he ſhall require the ſame, the hand of him the ſaid ſheriff or ſub-ſheriff, a fair account of the conſideration for which ſuch bill or other writing obligatory, promiſſory note or bill of exchange, ſhall be taken, and if any or ſub-ſheriff aforeſaid ſhall refuſe or neglect to do the ſame, he ſhall forfeit and pay to the injured the value of the ſum for which ſuch bond, bill or writing obligatory, mortgage, pro- y note or bill of exchange, ſhall be taken, to be recovered by action of debt, or on the caſe, in ourt that ſhall have juriſdiction of ſuch ſum, with double coſts of ſuit.

An account of fees to be rendered, &c.

AND BE IT ALSO ENACTED, That when and as often as any ſheriff or ſub-ſheriff aforeſaid after the ſaid firſt day of February next, take or receive of or from any perſon or perſons what- r, any fee or fees which ſhall be claimed to be due to ſuch ſheriff by virtue of his ſaid office, ſuch or under-ſheriff ſhall, and he is hereby required, to deliver to ſuch perſon or perſons who ſhall nd the ſame, a fair account, in words at length, of the ſervices for which ſuch fee or fees be- due, and give the ſaid perſon from whom he ſhall receive the ſame fee or fees a receipt in g therefor, and if any ſheriff or ſub-ſheriff ſhall neglect or refuſe ſo to do, he ſhall forfeit and o the party grieved the ſum ſo taken and received, to be recovered as aforeſaid, with double of ſuit.

CHAP. XVI.

Paſſed 20th of Dec. 1769.

ACT to repeal part of an act to encourage the deſtroying of wolves, rows and ſquirrels. Lib. RG. fol. 31.

Part of an act repealed.

IT ENACTED, *by the right honourable the Lord Proprietary, by and with the advice and conſent of his lordſhip's Governor, and the Upper and Lower Houſes of Aſſembly, and the authority of the ſame*, ſo mu h of an act of aſſembly, made at a ſeſſion of aſſembly begun and held at the city of Anna- the third day of October, one thouſand ſeven hundred and twenty-eight, entitled, * An act to urage the deſtroying of wolves, crows and ſquirrels, as relates to the killing of crows and ſquir- n the ſeveral counties of St. Mary's, Kent, Somerſet, Charles, Anne-Arundel, Talbot, Cæcil, ert, Prince-George's, Dorcheſter, Worceſter and Frederick counties, be and is hereby repealed, gated and made null and void.

* Chapter 27.

CHAP. XVII.

Paſſed 20th of Dec. 1769.

An ACT to appropriate the half acre of ground therein mentio to the uſe of the public ſchool in Frederick county. Lib. R fol. 31.

Preamble.

WHEREAS the preſent viſitors of the public ſchool in Frederick county, by their petiti this general aſſembly, have ſet forth, That the funds appropriated for the uſe of the ſchool are inſufficient to purchaſe ground and make the neceſſary buildings thereon, and that th a convenient vacancy for erecting the ſaid buildings on the lots laid off for public uſes in Frede town, and have prayed that an act may paſs to appropriate one half acre of the ſaid lots, on the n weſt corner of the court-houſe, for the purpoſe aforeſaid, and the juſtices of the ſaid county have tified the truth of the facts ſet forth in the ſaid petition, and that the prayer thereof might be g ed with much advantage to the county in general, and without injury to any individual;

Land to be laid out, &c.

II. BE IT THEREFORE ENACTED, *by the right honourable the Lord Proprietary, by and with the and conſent of his lordſhip's Governor, and the Upper and Lower Houſes of Aſſembly, and the authority ſame,* That the juſtices for the time being of Frederick county aforeſaid ſhall, during the ſitti the county court, cauſe to be laid out, and butted and bounded with ſtones, or good locuſt one half acre of the ſaid lots laid off for public uſes in Frederick-town, on the north-weſt cor the ſaid court-houſe, and a certificate of the lines and boundaries of the ſaid half acre of ground cauſe to be entered on record amongſt the land records of the ſaid county, which ſaid one hal of ground ſhall be and is hereby veſted in the viſitors of Frederick county ſchool, and their ſucce for ever, to and for the uſe of the ſaid ſchool, and on the ſame half acre of ground ſhall be er and built a houſe and other conveniencies for a county ſchool of the ſaid county, any former acts to the contrary notwithſtanding.

CHAP. XVIII.

* 1715, ch. 31.

A Supplementary act to the act, entitled, * An act aſcertaining height of fences, to prevent the evil occaſioned by the multi of horſes, and reſtraining horſe-rangers within this province, to redreſs the great evil accruing to this province by the multipl ty of uſeleſs horſes, mares and colts, that run in the woods. L RG. fol. 32.

Preamble.

WHEREAS it is enacted by the above recited act, that whenever any horſe, mare or ge ſhall break into any cornfield or other encloſure, and the owner be not known, that the in all ſuch caſes it ſhall and may be lawful for the party grieved to take up ſuch horſe, mare or ing, ſo treſpaſſing, and the ſame to carry before the next magiſtrate, who ſhall be obliged to ta account of the marks of ſuch beaſts, both natural and artificial, which the perſons aggrieved ſha up in the moſt public places in the ſame county, and until the owner ſhall be known, it ſhall and be lawful for ſuch injured perſon to uſe and employ ſuch horſes, mares and geldings, without i ring the penalties in this act therein after impoſed, not injuring ſuch beaſt by any careleſs or w means, which beaſt ſhall be delivered in good order to the perſon owning the ſame, proving his perty by the teſtimony of one witneſs before any magiſtrate, which method, by experience, is f inconvenient to the owner or owners of ſuch horſes, mares or geldings, they being very often for a conſiderable time in the poſſeſſion of the party by whom ſuch horſe, mare or gelding, are t up, before the ſame comes to the knowledge of the owner of ſuch horſe, mare or gelding; for vention whereof,

Notice to be given, &c.

II. BE IT ENACTED, *by the right honourable the Lord Proprietary, by and with the advice and con his lordſhip's Governor, and the Upper and Lower Houſes of Aſſembly, and the authority of the ſame,* from and after the end of this ſeſſion of aſſembly, the party grieved, who ſhall take up any ſuch h mare or gelding, treſpaſſing as aforeſaid, ſhall be and is hereby obliged and directed to ſet up ſuch count ſo taken by the magiſtrate as aforeſaid, deſcribing the marks of ſuch beaſts, both natural artificial, at the court-houſe door, and other public places in the county where ſuch horſe, ma gelding, ſhall be taken up, within five days after ſuch account taken, and moreover, cauſe the m natural and artificial, of ſuch horſe, mare or gelding, to be recorded amongſt the records of county court, within five days after ſuch account ſhall be taken, and cauſe the ſame to be publi

the Maryland Gazette in one month, if the ſaid beaſt be taken up on the Weſtern Shore, and in months if taken up on the Eaſtern Shore, after ſuch account ſhall be taken, which publication be continued three weeks ſucceſſively in the ſaid Gazette, and the expences ariſing thereon ſhall aid by the owner or owners of ſuch horſe, mare or gelding, at the time of his receiving any ſuch e, mare or gelding, any law, uſage or cuſtom to the contrary in anywiſe notwithſtanding.

II. AND BE IT FURTHER ENACTED, That any perſon that ſhall take up ſuch horſe, mare or geld- and that ſhall act contrary to the directions of this act, ſhall for every ſuch offence forfeit the of ten pounds current money, one half to the informer, the other half to the party grieved, to recovered in any county court of this province, by action of debt, bill, plaint or information, rein no eſſoin, protection, or wager of law, nor more than one imparlance, ſhall be allowed. Penalty for not giving notice.

V. This act to continue ſeven years, and unto the end of the next ſeſſion of aſſembly which ſhall en after the expiration of the ſaid ſeven years. Duration.

Continued for ſeven years, &c. by 1785, ch. 77, and by November, 1792, ch. 76, to 30th October, 1799, &c.

CHAP. XIX.

ACT for the ſpeedy and effectual publication of the laws of this province, and for the encourage- ent of Anne Catharine Green, of the city of Annapolis, printer. Lib. RG. fol. 33. Paſſed 20th of Dec. 1769.

CHAP. XX.

ACT for the relief of certain languiſhing priſoners in the ſeveral gaols therein mentioned. Lib. G. fol. 36. A Private Act.

CHAP. XXI.

ACT for the building of a pariſh church in Chriſt Church pariſh, in Calvert county. Lib. RG. l. 41.

CHAP. XXII.

additional ſupplementary act to the act, entitled, * An act to prevent the abuſes of concealing nvicted felons and other offenders imported into this province, and for the better diſcovery of em. Lib. RG. fol. 42. * 1728, ch. 23.

CHAP. XXIII.

ACT for preventing the evil occaſioned by continuance of ſuits at law on ſuggeſtion of want of idence from beyond the ſea. Lib. RG. fol. 44.

To continue three years, &c. Continued for ſeven years, &c. by June, 1773, ch. 7. Expired.

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a SESSION of ASSEMBLY begun and held at the CITY of ANNAPOLIS, on Tueſday, the 25th day of September, in the 20th year of the dominion of the right honourable FREDERICK, bſolute Lord and Proprietary of the provinces of Maryland and Avalon, Lord Baron of Baltimore, &c. and ended the 2d day of November, *anno domini* 1770, the following laws were enacted. 1770.

ROBERT EDEN, ESQUIRE, GOVERNOR.

CHAP. I.

ACT continuing an act, entitled, (a) An act for amending the ſtaple of tobacco, for preventing uds in his majeſty's cuſtoms, and for the limitation of officers fees, and the ſupplementary act reto. Lib. RG. fol. 47. Paſſed 2d of Nov. 1770.

(a) 1763, ch. 18, continued to 22d October, 1771. Expired.

CHAP.

CHAP. II.

Paſſed 2d of Nov. 1770.

An ACT directing the ſale of the lands of Richard Heard, late of Saint-Mary's county, dece for the payment of the debts of the ſaid Richard Heard. Lib. RG. fol. 47. A Private Act.

CHAP. III.

An ACT to enable the juſtices of Somerſet county to levy on the taxable inhabitants of Som pariſh, in the ſaid county, a quantity of tobacco for the purpoſes therein mentioned. Lib. fol. 51.

CHAP. IV.

An ACT for aboliſhing June county courts, and for other purpoſes therein mentioned. Lib. fol. 52.

To continue three years, &c. Expired.

CHAP. V.

An ACT for the adjournment and continuance of the high court of appeals, and for the adjourn of the provincial court, and other purpoſes therein mentioned. Lib. RG. fol. 53.

CHAP. VI.

An ACT to inveſt John Clayton with an excluſive privilege and benefit of making and ſelling chine for threſhing of wheat, on a model by him invented. Lib. RG. fol. 54. A Private A

CHAP. VII.

An ACT to give Thomas Harriſon further time to effect the rem of a nuiſance in Baltimore-town, in Baltimore county. Lib. fol. 55.

Preamble.

WHEREAS Thomas Harriſon, by his humble petition to the general aſſembly of this pro has ſet forth, that in conſequence of the indulgence hitherto granted him, he has nea fected the removal of the nuiſance directed to be removed by an act, entitled, (a) An act to re a nuiſance in Baltimore-town, in Baltimore county, but that he ſhall not be able to finiſh and plete the ſame within the time allotted him by an act, entitled, An act to give Thomas Harri further time to effect the removal of a nuiſance in Baltimore-town, in Baltimore county: And as it appears to this preſent general aſſembly, that the ſaid Thomas Harriſon has made great pr in effecting the ſaid removal, and taken great pains to finiſh the ſame: And whereas a further appears to this general aſſembly reaſonable and neceſſary;

(a) November, 1766, ch. 22.

Further time allowed.

II. BE IT THEREFORE ENACTED, *by the right honourable the Lord Proprietary, by and with the advi conſent of his lordſhip's Governor, and the Upper and Lower Houſes of Aſſembly, and the authority of the* That the ſaid Thomas Harriſon, for effecting the removal of his part of the ſaid nuiſance, ha further time of two years from the expiration of the time limitted by the act laſt aforeſaid.

Bond to ſtand, &c.

III. AND BE IT FURTHER ENACTED, That the bond, which has heretofore been paſſed and exe by the ſaid Thomas Harriſon for effecting the ſaid removal, ſhall have effect and operation, and only as a ſecurity for effecting the removal of his part of the ſaid nuiſance within the time giv this act.

CHAP. VIII.

An ACT to empower the juſtices of Somerſet and Worceſter counties to levy on the taxable bitants of Stepney pariſh, in ſaid counties, the quantity of eighty thouſand pounds of to for the uſes therein mentioned. Lib. RG. fol. 56.

CHAP. IX.

An ACT for empowering the juſtices of Queen-Anne's and Talbot counties to aſſeſs the taxa habitants of Saint-Paul's pariſh, in the ſaid counties, the ſums of tobacco therein mentione building a church and repairing the chapel in the ſaid pariſh. Lib. RG. fol. 57.

CHAP. X.

An ACT to oblige the ſeveral county clerks to have with them, their office days, the four laſt court dockets and papers. RG. fol. 59.

Preamble.
* 1748, ch. 7.

WHEREAS by the act * to enable the ſeveral and reſpective county clerks within this pro to remove ſome of the county records and papers from the public offices, a liberty is gi

aid clerks to remove and take out their four laſt courts dockets and papers next preceding the of ſuch taking out, and the ſame to keep in their own houſes for their convenience, under which y it is found, that ſome of the ſaid clerks, who live a conſiderable diſtance from their public , omit to bring with them the ſaid dockets and papers on office days, by which means many e, who go to the ſaid offices to get bills of coſt or iſſue executions, are diſappointed in having buſineſs done;

Clerks to bring their dockets, &c.

BE IT THEREFORE ENACTED, *by the right honourable the Lord Proprietary, by and with the advice onſent of his lordſhip's Governor, and the Upper and Lower Houſes of Aſſembly, and the authority of the* That every county clerk in this province ſhall bring with him, upon every office day on which obliged by law to attend at the county court-houſe of his reſpective county, the four laſt courts ts and papers next preceding every ſuch day of attendance, under the penalty or forfeiture of ſhillings current money to the party grieved for every neglect or omiſſion thereof, to be reco- before one juſtice of the peace, with coſts.

CHAP. XI.

Paſſed 2d of Nov. 1770.

CT to remedy a defect in the title of Bartholomew Pomeroy, of London, merchant, to a tract parcel of land, called Rencher's Adventure, lying in Prince-George's county. Lib. RG. fol. A Private Act.

CHAP. XII.

ACT to unite the free-ſchools of Somerſet and Worceſter counies. Lib. RG. fol. 63.

A Supplement 1774, ch. 12.

Preamble.

HEREAS it is repreſented to this general aſſembly, by ſundry the inhabitants of Somerſet and Worceſter counties, that the free-ſchools in the ſaid counties are ſo ſituated as that no enient place of boarding the ſcholars can be had, nor will the funds provided for each ſeparately d ſufficient encouragement for proper maſters, and that in order to have the lands and houſes of aid two ſchools ſold, and one ſchool erected in a proper place convenient to both counties, and unds of both conſolidated into one, ſundry perſons have ſubſcribed large ſums of money to fur- the completion of ſo laudable an inſtitution, and have prayed that an act might paſs for that oſe, which this aſſembly hath thought reaſonable to grant;

A ſchool to be erected, &c.

BE IT THEREFORE ENACTED, *by the right honourable the Lord Proprietary, by and with the advice onſent of his lordſhip's Governor, and the Upper and Lower Houſes of Aſſembly, and the authority of the* That as ſoon as may be after the end of this preſent ſeſſion of aſſembly there ſhall be erected chool, to be called by the name of Eden School, for the ſaid counties of Somerſet and Worceſ- at the moſt convenient place to both the ſaid counties, at the diſcretion of the viſitors, or the r part of them, hereafter nominated, appointed and empowered, by this act, any former law to contrary thereof notwithſtanding.

Viſitors appointed, &c.

AND BE IT FURTHER ENACTED, That the perſons hereafter named, to wit: The reverend Samuel Stone, and Meſſieurs Levin Gale, Thomas Daſhiell, Thomas Hayward, Andrew Francis ney, William Adams, Henry Lowes, Joſiah Polk, George Daſhiell, Thomas Bruff, of Somerſet ty, and Meſſieurs William Allen, Littleton Dennis, Benton Harris, Henry Johnſton, George ward, Lemuel Purnell, Thomas Martin, Peter Chaille, John Selby and Joſeph Daſhiell, of Wor- r county, ſhall be viſitors of the ſaid ſchool, ſhall qualify in the ſame manner, and be ſubject to ame penalties, and be inveſted with the ſame rights, privileges, powers and authorities, to every nt and purpoſe, as the viſitors of the other county ſchools within this province, and ſhall have eſſion in like manner, ſo that every vacancy be filled up with a reſident of that county wherein aid vacancy may happen, ſo that an equal number of viſitors of each county may be kept up, any to the contrary thereof notwithſtanding.

Equal dividends to be paid.

AND BE IT FURTHER ENACTED, That of all duties, taxes and impoſitions, hereafter to be col- d for the uſe of the county ſchools within this province, there ſhall be paid, by the treaſurers of Weſtern and Eaſtern Shores, to the viſitors aforeſaid, or the major part of them, or their order, equal dividends, by them to be applied and expended to and for the uſe and benefit of the ſaid ol, in the like manner as the dividends due to the other county ſchools are by law directed to be ied.

V. AND

CHAP. XII.

V. AND, whereas for defraying part of the expence and charge of building the ſaid ſchool, ſu inhabitants of the ſaid coun:ies of Somerſet and Worceſter have ſubſcribed divers ſums of mo And whereas there is a conſiderable ſum of money in the hands of the viſitors of ſaid ſch choſen under a former act of aſſembly, for the ſaid counties of Somerſet and Worceſter; B

Viſitors to receive monies.

ENACTED, That the viſitors conſtituted by this act, or the major part of them, ſhall and they hereby empowered to receive all monies by the ſaid perſons ſubſcribed, and all monies in the h of the viſitors choſen under the ſaid former law; and ſuch ſubſcribers and viſitors are hereby di ed to pay the monies in their hands, and their ſeveral ſubſcriptions, to the viſitors appointed by act, and in caſe of neglect or refuſal to pay, the ſaid viſitors, or the major part of them, may they are hereby authoriſed to ſue for, recover and receive the ſame.

And make ſale of ſchools, &c.

VI. AND BE IT FURTHER ENACTED, That the ſaid viſitors, or the major part of them, are he authoriſed, empowered and required, to make ſale, by way of public vendue, of the ſchools of ſaid two counties of Somerſet and Worceſter, with the land thereto belonging, to the beſt and hi bidder, and convey the ſame, in fee-ſimple, to the purchaſer or purchaſers, his or their heirs aſſigns for ever, and the money ariſing by the ſale thereof, as well as from ſubſcriptions, ſhall be plied to the uſe of the ſaid ſchool, any law, uſage or cuſtom to the contrary notwithſtanding.

CHAP. XIII.

Paſſed 2d of Nov. 1770.

An ACT to enable the juſtices of Dorcheſter county court to aſſeſs and levy on the taxable inh tants of the ſaid county a quantity of tobacco for the purpoſe of building a court-houſe. RG. fol. 65.

A Supplementary act 1771, ch. 16.

CHAP. XIV.

* 1728, ch. 7.

An ACT to repeal part of an * act to encourage the deſtroying wolves, crows and ſquirrels. Lib. RG. fol. 66.

Part of an act repealed.

BE IT ENACTED, *by the right honourable the Lord Proprietary, by and with the advice and conſent o lordſhip's Governor, and the Upper and Lower Houſes of Aſſembly, and the authority of the ſame,* ſo much of an act of aſſembly, made at a ſeſſion of aſſembly begun and held at the city of Anna the third day of October, one thouſand ſeven hundred and twenty-eight, entitled, An act to courage the deſtroying of wolves, crows and ſquirrels, as relates to the killing of crows and ſqui in Queen-Anne's county, be and is hereby repealed, abrogated, and made null and void, from after the tenth day of December next.

CHAP. XV.

* 1765, ch. 32.

An additional ſupplementary act to the act, entitled, * An act for erecting a new pariſh in county, called Cheſter pariſh, and for building a pariſh church, and enlarging a chapel of within the ſaid pariſh. Lib. RG. fol. 67.

CHAP. XVI.

An ACT for the building a pariſh church in Queen-Anne pariſh, in Prince-George's county. RG. fol. 67.

CHAP. XVII.

An ACT to remedy a defect in the acknowledgment of a conveyance from Joſiah Conant to Wil Thornton. Lib. RG. fol. 68. A Private Act.

CHAP. XVIII.

An ACT to divide Saint-John's pariſh, in Baltimore county. Lib. RG. fol. 69.

After the death or removal of the preſent incumbent, Buſh river upper hundred, Mine river hundred, North hundred, and part of Middle river upper hundred lying north of the road leading from the main road from York to Baltimore, where it c the ſouth branch of Gunpowder falls at Walter Dulany's plantation, and that part of Gunpowder upper hundred north ſaid main road leading from the South branch to Roger Boyce's, where it interſects the Mine-run hundred, ſhall be erected new, diſtinct pariſh, bearing the name of St. James's pariſh.

CHAP. XIX.

An ACT to inveſt Iſaac Perkins with an excluſive privilege and benefit of making and ſelling a chine for threſhing of wheat, on a model by him invented. Lib. RG. fol. 71. A Private Act.

CHAP. XX.

An ACT for the relief of Thomas Weems. Lib. RG. fol. 72. A Private Act.

CHA

CHAP. XXI.

CT directing the ſale of part of the lands of Henry Baker, late of Cæcil county, deceaſed, for the payment of the debts of the ſaid Henry Baker. Lib. RG. fol. 75. A Private Act. Paſſed 2d of Nov. 1770.

CHAP. XXII.

CT for the relief of Nehemiah Tilghman and Solomon Townſend, and to confirm the contract between the ſaid Nehemiah Tilghman and a certain major Townſend. Lib. RG. fol. 77. rivate Act.

SESSION of ASSEMBLY begun and held at the CITY of NNAPOLIS, on Tueſday, the 6th day of November, in the th year of the dominion of the right honourable FREDERICK, rd Baron of Baltimore, abſolute Lord and Proprietary of the ovinces of Maryland and Avalon, &c. and ended the 21ſt day the ſame month, *anno domini* 1770, the following laws were acted.

ROBERT EDEN, ESQUIRE, GOVERNOR.

CHAP. I.

CT for the adjournment and continuance of Baltimore county court. Lib. RG. fol. 81. Paſſed 21ſt of Nov. 1770.

CHAP. II.

CT empowering Edward Tilghman, Solomon Wright, and others, to ſell certain lands deviſed olonel Vincent Lowe, formerly of Talbot county, to be ſold for the purpoſes by the ſaid deintended. Lib. RG. fol. 81. A Private Act.

CHAP. III.

lementary act to the act, entitled, * An act to enable the juſtices of Queen-Anne's county for the time being to levy on the taxable inhabitants of Saint-Luke's pariſh, in the ſaid y, a quantity of tobacco for building a chapel in the ſaid pariſh. Lib. RG. fol. 85. * 1769, ch. 12.

CHAP. IV.

CT to eſtabliſh a market in Frederick-town, in Frederick coun- and for the regulation of the ſaid market. Lib. RG. fol. 86.

Supplements 1785, ch. 54, November, 1792, ch. 42, 1795, ch. 7.

HEREAS it has been repreſented to this general aſſembly, that the inhabitants of the ſaid town had built and erected a large and convenient building, calculated for a market-houſe and ublic uſes, which, if put under a proper regulation, might be rendered very uſeful to them inhabitants of the ſaid county; and it is prayed, that an act of aſſembly may be paſſed for and regulating the market of the ſaid market-houſe, and for the appointment of a clerk of market, by the juſtices of Frederick county court; Preamble.

E IT THEREFORE ENACTED, *by the right honourable the Lord Proprietary, by and with the advice ent of his lordſhip's Governor, and the Upper and Lower Houſes of Aſſembly, and the authority of the* hat from and after the twentieth day of this preſent month of November, two days in every o wit: Wedneſday and Saturday, ſhall be held as market-days at the market-houſe in the Frederick aforeſaid, and that all victuals and proviſions whatſoever brought to the ſaid town (except fiſh and oyſters, all kinds of grain, flour and bread, butter in firkins, or other veſceeding twenty pounds net, and cheeſe, pork by the hog, beef and pork in barrels or larger ve cattle, ſheep and hogs,) upon thoſe or any other days of the week, ſhall be carried to the Market-days appointed, &c.

CHAP. IV.

public market-houſe of the ſaid town, there to be ſold at the ſtated market-hours, to wit: Fr time in the morning to twelve at noon.

No perſon to buy out of market, &c.

III. AND BE IT FURTHER ENACTED, That no inhabitant of the ſaid town, or other perſon preſume to buy, or cauſe to be bought, of any perſon or perſons bringing, (and within one the ſaid town,) or having brought therein, any kind of victuals or proviſions for ſale, (except fore excepted,) either upon the above ſtated market-days, or any other days of the week, dur time of the above ſtated market-hours, at any other place whatſoever but at or in the aforeſaid houſe, under the penalty of twenty ſhillings current money of this province for every ſuch o to be recovered by warrant before any juſtice of the peace for Frederick county, or the county ſuch perſon ſhall reſide, as in caſe of ſmall debts, to be paid to the clerk of the ſaid market time being, and applied by him to the uſes herein after mentioned.

Nor ſell out of the market-houſe.

IV. AND BE IT FURTHER ENACTED, That no perſon whatſoever bringing or ſending, or brought or ſent, any victuals or proviſions to the ſaid town for ſale, (except as before exc ſhall preſume to ſell, or cauſe to be ſold, the ſaid victuals or proviſions, ſo bringing or ſend brought or ſent, as aforeſaid, to the ſaid town, or within one mile thereof, at any other place ſoever, during the time of the above ſtated market-hours, but at or in the aforeſaid market under the penalty of ten ſhillings current money of this province for every ſuch offence, to covered, paid and applied as aforeſaid; and if any ſervant or ſlave ſhall preſume to ſell any or proviſion contrary to the true intent and meaning of this act, ſuch ſervant or ſlave ſhall be ed, by whipping on the bare back, at the diſcretion of one or more juſtices of the peace for Fr county, provided ſuch whipping do not exceed fifteen laſhes for any one offence.

Juſtices to appoint a clerk.

V. AND BE IT FURTHER ENACTED, That the juſtices of Frederick county aforeſaid, in ce ting, ſhall and they are hereby required, at their next November court, and at every No court yearly, during the continuance of this act, to nominate and appoint one of the inhabi the town of Frederick aforeſaid, being a freeholder within the ſaid town, to be clerk of t market for the year then next enſuing, whoſe power and authority as clerk ſhall continue u laſt day of November court ſucceeding ſuch nomination and appointment.

His power.

VI. AND BE IT FURTHER ENACTED, That the clerk of the ſaid market, to be appointe have ſufficient power and authority to take care and charge of the market and market-houſe af to inſpect the proviſions brought thereto for ſale, and if any ſhall be found unſound or unwh to deſtroy the ſame.

Clerk to rent the ſtalls, &c.

VII. AND BE IT FURTHER ENACTED, That the ſaid clerk, ſo nominated and appointed as af ſhall have full power to rent or hire out, as well the ſtalls and ſhambles in the ſaid market-ho the rooms and appartments over the ſame, and the ſaid clerk is hereby directed to keep a fair account of the profits ariſing from ſuch rents, and alſo of all ſuch fines and penalties he ſhall by virtue of this act, and apply the ſame, from time to time, to the uſe and benefit of the ſai according to the orders or directions of the juſtices of Frederick county for the time being, which ſervices the ſaid clerk ſhall be allowed, out of the public money belonging to the ſa at the diſcretion of the ſaid juſtices, not exceeding the ſum of twenty pounds *per annum*; ſaid clerk may be removed and diſplaced by the ſaid juſtices at their pleaſure and diſcretion.

So much of this ſection as empowers the clerk to rent out the rooms and appartments, is repealed by 1795, ch. 7, and thereby appropriated to the uſe of the commiſſioners under the act of 1786, ch. 36.

Proviſo.

VIII. PROVIDED ALWAYS, AND BE IT ENACTED, That before any clerk, to be nominated pointed as aforeſaid, ſhall enter upon his office, he ſhall be obliged to take an oath before ſome of the peace for Frederick county, juſtly, truly and impartially, to perform the ſeveral du quired of him by this act, and the ſeveral oaths to the government appointed by law, and ſu the oath of abjuration, and repeat and ſign the teſt.

How a vacancy is to be filled.

IX. AND BE IT FURTHER ENACTED, That in caſe of the death of any clerk of the ſaid ma be nominated or appointed by the juſtices of the ſaid county court, immediately thereupo ſoon as may be, any three or two juſtices ſhall nominate and appoint ſome other perſon, duly as aforeſaid, to be clerk, until the next county court then next enſuing, who ſhall have ſu and authority as clerk of the ſaid market in every caſe afore-mentioned.

Clerk to enter into bond.

X. AND BE IT FURTHER ENACTED, That every perſon, ſo nominated and appointed as clerk ſaid market, ſhall, before he takes on himſelf the execution of the ſaid office, enter into bo

ufficient ſureties, in the ſum of one hundred pounds current money, payable to the lord pro- CHAP. IV.
ary, his heirs and ſucceſſors, for the time being, with condition thereto, that he will well and fully diſcharge his duty, agreeable to the act of aſſembly, entitled, An act to eſtabliſh a market rederick-town, in Frederick county, and for the regulation of the ſaid market, and will render e juſtices of Frederick county a juſt and true account of all ſuch monies as he ſhall receive by e of his office, and that he will pay and apply ſuch monies ſo received as the juſtices aforeſaid e time being ſhall order and direct.

. AND BE IT FURTHER ENACTED, That it ſhall not be lawful for any perſon whatever wilfully to Offences ſubject to penalty.
ride or drive, into the aforeſaid market-houſe, any horſe, gelding, mare or colt, or to kill or ter in the ſaid houſe any beaſt of the beef, ſheep or hog kind, under the penalty of five ſhillings nt money of this province for every ſuch offence, to be received, paid and applied, in manner orm as in this act before directed.

I. AND BE IT FURTHER ENACTED, That the penalties in this act mentioned ſhall be recovered Penalties, how to be applied.
d in the name of the clerk of the market of the ſaid town, to be by him accounted for and apto the public and benefit of the ſaid town.

II. This act to continue three years, and unto the end of the next ſeſſion of aſſembly which Duration.
happen after the expiration of the ſaid three years.

ntinued for ſeven years, &c. by November, 1773, ch. 16, for ſeven years, &c. by May, 1781, ch. 29, for ſeven years, &c. May, 1788, ch. 18, to 30th January, 1798, by 1795, ch. 83. Expired. Revived and continued (where not altered,) by , ch. 10, to the end of the ſeſſion, and to 30th October, 1805, &c.

CHAP. V.

ACT to remedy the omiſſion of the enrolment of a deed of bargain and ſale from Thomas Collier Passed 21ſt of Nov. 1770.
Thomas Lightfoot, William Lightfoot, Abraham Mitchell, Walter Franklin and Samuel Frank- Lib. RG. fol. 89. A Private Act.

CHAP. VI.

ACT for the eſtabliſhment of a chapel of eaſe in Saint-Peter's pariſh, in Talbot county. Lib. G. fol. 90.

CHAP. VII.

Supplementary act to the act, entitled, * An act for the relief of the poor within the ſeveral counties therein mentioned. Lib. RG. fol. 91.

* 1768, ch. 29.

WHEREAS it is repreſented to this general aſſembly, that the money ariſing from the fifteen Preamble.
pounds of tobacco per poll, already aſſeſſed and levied on the taxable inhabitants of Frede- county in the years ſeventeen hundred and ſixty-eight and ſeventeen hundred and ſixty-nine, by e of the act of aſſembly, entitled, An act for the relief of the poor within the ſeveral counties in mentioned, has not only been ſufficient for the purchaſing of land, and erecting and finiſhing and convenient houſes and dwellings, for the reception of the poor of that county, and of ſuch ants, beggars, vagabonds and other offenders, as may be committed by virtue of that act, but gh of the ſaid aſſeſſments ſtill remains to purchaſe for them ſufficient beds, bedding, working , kitchen utenſils, cows, horſes and other neceſſaries, and alſo to defray the charge of their tenance, purchaſing proviſions and other neceſſaries for uſe and labour, of paying a doctor for alary and medicines, of providing men and women ſervants, and of purchaſing materials for the and employment of all the poor, and others, who may be able to work, and who may be com- ed by virtue of the ſaid act;

. BE IT THEREFORE ENACTED, *by the right honourable the Lord Proprietary, by and with the advice* Truſtees to receive all money, &c.
conſent of his lordſhip's Governor, and the Upper and Lower Houſes of Aſſembly, and the authority of the That after deducting out of the ſaid two aſſeſſments, made in the years ſeventeen hundred and -eight and ſeventeen hundred and ſixty-nine, the expences which have already incurred in purng the ſaid land, and erecting, building, finiſhing and completing, the ſaid houſes and dwellings, alſo the expences which may incur in buying and purchaſing ſufficient beds, bedding, working , kitchen utenſils, cows, horſes and other neceſſaries, the truſtees for the poor of Frederick nty for the time being, or the major part of them, ſhall be and are hereby empowered and required eceive and apply all the money and tobacco which ſhall remain of the ſame two aſſeſſments, as hereafter as conveniently may be, to and for the ſame uſe, benefit and charge, as they might

CHAP. VII.

receive and apply the tobacco which by the ſaid act was to have been aſſeſſed and levied on the ble inhabitants of the ſaid county at the time of laying the ſaid county levy in the year ſeve hundred and ſeventy-one.

Juſtices to levy tobacco, &c.

III. AND BE IT FURTHER ENACTED, That the juſtices of Frederick county court for the being, ſhall, and they are hereby authoriſed and empowered, upon the application of the ſaid tr for the time being, or the major part of them, and not otherwiſe, to aſſeſs and levy on the ta inhabitants of the ſaid county, at the time of laying their county levy, a quantity not exceedi pounds of tobacco by the poll, on each and every of the taxable inhabitants of the ſaid coun each of the years ſeventeen hundred and ſeventy and ſeventeen hundred and ſeventy-one, tog with the ſheriff's ſalary of five *per cent.* for collecting the ſame, and no further or other aſſeſſ ſhall be made by the ſame juſtices by virtue of the ſaid act; which ſaid aſſeſſments to be m aforeſaid in virtue of this act, ſhall be collected, levied, accounted for and paid, to the ſaid tr in the ſame manner as the aſſeſſments made in virtue of the ſaid act were to have been collecte vied, accounted for and paid, and ſhall be applied by the ſaid truſtees for the time being, or th jor part of them, to and for the ſame uſe, benefit and charge, as they were directed by the ſa to apply the tobacco, which by the ſaid act was to have been aſſeſſed and levied in the year ſeve hundred and ſeventy-one, any thing contained in the ſaid act to the contrary in anywiſe not ſtanding.

CHAP. VIII.

Paſſed 21ſt of Nov. 1770.

An ACT for the relief of certain priſoners in the ſeveral gaols therein mentioned. Lib. RG 93. A Private Act.

CHAP. IX.

An ACT to divide All-Saints pariſh, in Frederick county, and to erect two new pariſhes, b names of Eden pariſh and Frederick pariſh. Lib. RG. fol. 98.

Nine commiſſioners are appointed, immediately to divide the pariſh into three equal parts, reſpect being had to number they are to return a certificate of ſuch diviſion, to be recorded in the county court. The pariſh church is to be in one d and each chapel of eaſe in another Upon the removal of Bennet Allen, the preſent incumbent, theſe three diſtricts are come diſtinct pariſhes. The pariſh church diſtrict is to retain the name of the old pariſh; the Monococy diſtrict is to b Eden pariſh; the Antietam diſtrict is to be called Frederick pariſh.

CHAP. X.

An ACT to enable Nicholas Rogers, an infant, to demiſe the real eſtate therein mentioned. RG. fol. 99. A Private Act.

1771. At a SESSION of ASSEMBLY begun and held at the CITY ANNAPOLIS, on Wedneſday, the 2d day of October, in the 2 year of the dominion of the right honourable FREDERICK, abſol Lord and Proprietary of the provinces of Maryland and Avalo Lord Baron of Baltimore, &c. and ended the 30th day of Nove ber, *anno domini* 1771, the following laws were enacted.

ROBERT EDEN, ESQUIRE, GOVERNOR.

CHAP. I.

Paſſed 30th of Nov. 1771.

An ACT for veſting in ſuch foreign proteſtants as are now naturalized, or ſhall be hereaf naturalized, in this province, all the rights and privileges of natural born ſubjects. Lib. R fol. 103.

CHAP. II.

An ACT for the adjournment and continuance of the high court of appeals. Lib. RG. fol. 103.

CHA

CHAP. III.

CT empowering the juſtices of Prince-George's and Frederick counties to levy on the taxable ns of Prince-George's pariſh, in ſaid counties, the ſum of ninety-ſix thouſand pounds of to- o, for building a new pariſh church at or near the place where the old one now ſtands. Lib. fol. 104. Paſſed 30th of Nov. 1771.

CHAP. IV.

lementary act to the act, entitled, * An act for the building a pariſh church in Queen-Anne h, in Prince-George's county. Lib. RG. fol. 105. * 1770, ch. 16.

CHAP. V.

CT continuing an act, entitled, (a) An act to eſtabliſh a market at the market-houſe in Cheſ- own, in Kent county, and for the regulation of the ſaid market. Lib. RG. fol. 105.

(a) 1762, ch. 32, continued for three years, &c. Expired.

CHAP. VI.

CT continuing an act, entitled, (b) An act for the preſervation of the breed of fiſh. Lib. fol. 106.

(b) 1768, ch. 4, continued for three years, &c.

CHAP. VII.

CT for impoſing a further additional duty of five pounds current money per poll on all negroes rted into this province. Lib. RG. fol. 106.

To continue ſeven years, &c. Expired.

CHAP. VIII.

lementary act to the act, entitled, * An act for the building of a pariſh church in Chriſt ch pariſh, in Calvert county. Lib. RG. fol. 107. * 1769, ch. 21.

CHAP. IX.

CT to empower the juſtices of Somerſet and Worceſter counties to levy on the taxable inha- ts of Stepney pariſh, in ſaid counties, the ſum of ſixty thouſand pounds of tobacco, for the therein mentioned, and to eſtabliſh the church at Green-Hill the pariſh church for ſaid pariſh. RG. fol. 108.

CHAP. X.

CT to empower the juſtices of Worceſter county to levy on the taxable inhabitants of All- ows pariſh, in ſaid county, the quantity of thirty-two thouſand pounds of tobacco for the uſes ein mentioned. Lib. RG. fol. 109.

CHAP. XI.

CT for preventing trivial ſuits in the provincial court. Lib. RG. fol. 110.

CHAP. XII.

CT confirming to Samuel Cookſon, of Baltimore county, ſundry lands therein mentioned. RG. fol. 111. A Private Act.

CHAP. XIII.

CT to prohibit raiſing ſwine and geeſe in George-town, in Frederick county. Lib. RG. 114.

CHAP. XIV.

CT reviving and continuing an act, entitled, (c) An act for amending and repairing the pub- oads in Baltimore county. Lib. RG. fol. 114.

1766, ch. 24, for one year, &c. Revived and continued for two years, &c. by June, 1773, ch. 3, for three years by y, 1777, ch. 17, and for one year, &c. by March, 1780, ch. 21. Expired.

CHAP. XV.

ACT to prevent the exportation of flour not merchantable from eorge-town, in Frederick county. Lib. RG. fol. 115.

HEREAS it is repreſented, that diſcoveries have been made of certain deceits practiſed by the manufacturers of flour, to the great prejudice of the buyers thereof, and injurious to the nity; for the encouragement and advancement of that branch of trade at the ſaid town, Preamble.

BE IT ENACTED, *by the right honourable the Lord Proprietary, by and with the advice and conſent of his Governor, and the Upper and Lower Houſes of Aſſembly, and the authority of the ſame*, That the An inſpector to be appointed.

CHAP. XV.

the commiſſioners of George-town, (a) or the major part of them, for the time being, ſhall aſſ and meet between the firſt and twentieth of December next, and between the ſaid firſt and twe of December yearly, and every year, during the continuance of this act, and then nominat appoint a perſon of good repute, and ſkill in the goodneſs and quality of flour, to be inſpector o within the ſaid town for the year enſuing.

(a) By the act for incorporation of George-town, 1789, ch. 23, the mayor, &c. have the power of appointing an i of flour.

The oath.

III. AND BE IT FURTHER ENACTED, That every commiſſioner of the ſaid town who ſhall vo the ſaid officer, ſhall take the following oath before he ſhall vote for the nomination and appoin of the officer afore-mentioned, to wit: "I, A. B. do ſwear, that I will faithfully appoint ſuc "ſon to be inſpector of flour within the town of George-town, as I think, in my judgment an "ſcience, is fit and capable to execute the ſaid office."

How a vacancy is to be filled.

IV. AND BE IT FURTHER ENACTED, That in caſe of the death of the ſaid officer ſo nominate appointed, or the refuſal or inability of him to act, the ſaid commiſſioners, or the major part of ſhall, as ſoon as conveniently may be thereafter, meet together, and nominate and appoint one ſuch perſon as aforeſaid, in the ſtead and place of any perſon ſo dying, refuſing, or becomin pable to act, for the reſidue of the year then to come; and if the ſaid commiſſioners ſhall negle omit to nominate and appoint the ſaid officer, then and in ſuch caſe the governor (b) or comm in chief of this province for the time being, may, by warrant under his hand, conſtitute and a another officer, who ſhall have the like power and authority as if he had been, by the ſaid co ſioners, regularly nominated and appointed.

(b) The governor cannot exerciſe this power under the preſent conſtitution.

Flour to be made merchantable.

V. AND BE IT FURTHER ENACTED, That all wheat flour, bolted and brought to the ſaid to exportation, from and after the firſt day of January next, ſhall, by the bolters thereof, be mad chantable, and of due fineneſs, without any mixture of coarſer or other flour, and well pac good ſtrong well ſeaſoned caſks, with the tare thereof marked thereon.

Penalty for putting on a wrong tare.

VI. AND BE IT FURTHER ENACTED, That if any perſon or perſons ſhall put a falſe or wron on any caſk of flour, more than one pound weight to the diſadvantage of the purchaſer, ſuch or perſons ſhall forfeit and pay, for every ſuch caſk wrongfully or falſely tared as aforeſaid, t of ten ſhillings current money; and the inſpector, upon ſuſpicion, or upon the requeſt of the ſhall uncaſe or unpack any ſuch caſk of flour, in order to try the tare thereof; and if the ſai or caſks be found to be tared more than one pound leſs than the true weight, the bolter thereo pay the charge and expence of unpacking or uncaſing, and repacking or recaſing, over and abo ſum of two-pence current money for each caſk as aforeſaid, but if the weight of the ſame is no than one pound leſs than the tare thereon marked, then the officer or purchaſer, at whoſe ſ ſuch trial be made, ſhall pay the coſt of unpacking or uncaſing, and repacking or recaſing.

Flour for exportation to be examined, &c.

VII. AND BE IT FURTHER ENACTED, That all and every caſk of flour brought to the ſaid to be from thence laden and ſhipped for exportation, ſhall be ſubmitted to the view and exami of the inſpector aforeſaid, ſo as aforeſaid nominated and appointed, who ſhall ſearch and try the by boring the head, and piercing it through with an inſtrument to be contrived for that purp order to prove whether it be honeſtly and well packed, as alſo to enable him to judge of its goo and ſhall afterwards plug up the hole; and if the ſaid officer ſhall judge the ſame to be merchan according to the directions of this preſent act, he ſhall brand every ſuch caſk of flour, on the q with the word George-town, Patowmack, with a public brand-mark to be provided for that pu and ſhall alſo brand and mark the degree of fineneſs which he ſhall, on inſpection, determine t flour to be of, which degree ſhall be diſtinguiſhed as follows, to wit: Superfine, Fine, Mi Ship-ſtuff; for which trouble, he, the ſaid inſpector, ſhall have and receive of the owner o flour the ſum of one penny and an half of a penny current money for each caſk, and no more.

If unmerchantable to be marked, &c.

VIII. AND BE IT FURTHER ENACTED, That the ſaid inſpector of flour ſhall not brand an which ſhall prove, on examination thereof, to be unmerchantable, according to the true inte meaning of this act, but ſhall cauſe the ſame to be marked on the bulge with a broad arrow, or it for a further examination, if required, which examination the owner ſhall procure to be made in the ſpace of twenty days, and the ſaid inſpector ſhall and may demand and receive from the or owners thereof the ſame rates and prices as if the ſame had been branded; and in caſe the ſa ſpector ſhould ſtore the flour ſo to be re-examined as aforeſaid, then and in that caſe the ſaid i tor ſhall be allowed two-pence current money for each barrel ſo ſtored.

IX.

AND BE IT FURTHER ENACTED, That when any perſon or perſons ſhall think him, her or ſelves aggrieved, through the judgment or want of ſkill of the ſaid inſpector in rejecting the ſaid as unmerchantable, it ſhall and may be lawful for him, her or them, to apply to a juſtice of the who ſhall, at the charge of the complainant, iſſue his warrant, directed to three indifferent s, well ſkilled in the ſaid manufacture of flour, to review and examine the ſame, which ſaid perſons, ſo as aforeſaid appointed, ſhall take the ſame oath, or affirmation if a quaker, as by t is herein after directed to be taken by the ſaid inſpector of flour, and ſhall carefully view and ne the ſame, and if they, or any two of them, ſhall paſs and declare the ſame to be merchant- hen and in ſuch caſe the ſaid officer ſhall raſe out the broad arrow, and put ſuch brand on the our as they, or any two of them, ſhall adjudge and determine, and repay to the ſaid complain- e ſaid coſt, but if, on ſuch review, the judgment of the ſaid officer is confirmed, then and in aſe the ſaid owner of ſuch flour ſhall pay the coſts of ſuch review. Perſons aggrieved may apply, &c.

AND BE IT FURTHER ENACTED, That the ſaid three perſons, and each of them, for their e, ſhall and may demand and receive the ſum of two-pence current money for each barrel by reviewed. Two-pence to be paid.

AND BE IT FURTHER ENACTED, That it ſhall not be lawful for any perſon or perſons what- to export, ſhip or lade, on board of any ſhip or veſſel, for exportation out of this province, f the caſks or barrels of the ſaid flour ſo marked with a broad arrow as aforeſaid, or to export, r lade, on board of any ſhip or veſſel, for exportation from out of Patowmack river, any of the or barrels of the ſaid flour which ſhall be brought to George-town aforeſaid, not be examined randed as aforeſaid, on pain of forfeiture of fifty ſhillings current money for each and every l ſo exported or laden on board of any ſhip or other veſſel for exportation. Penalty for exporting certain caſks.

I. AND BE IT FURTHER ENACTED, That the ſaid inſpector of flour ſhall, on his appointment, efore his executing the ſaid office, make oath, or affirmation if a quaker, before a juſtice of the , that without fear, favour, affection, malice, partiality, or reſpect of perſons, he will diligent- d carefully view, examine and inſpect, all flour brought to George-town aforeſaid, and which he be called upon to view, examine and inſpect, to the beſt of his ſkill and knowledge, and that no ſhall be paſſed or branded by him without his reviewing and examining the ſame, and that he will rand, or cauſe to be branded, any caſk or caſks of flour that does not appear, to the beſt of his and knowledge, to be in all reſpects ſufficiently clean, ſweet and merchantable, and that he will and brand all ſuch caſk or caſks of flour as ſhall appear to him ſufficiently clean, ſweet and mer- table, according to the degree thereof, to the beſt of his ſkill and knowledge, and according to e directions of this act, and that he will not wittingly or willingly charge, aſk, take, receive, or demand, any other or larger fees or rates for doing his duty in his office as inſpector of flour is mentioned and directed by this act. Inſpector to take an oath.

II. AND BE IT FURTHER ENACTED, That the ſaid inſpector of flour is hereby ſtrictly charged required not to purchaſe, directly or indirectly, any flour by him condemned as aforeſaid, or any whatſoever, other than for his own family uſe, under the penalty of forty ſhillings current mo- for each barrel. And not to purchaſe flour.

IV. AND BE IT FURTHER ENACTED, That if any perſon or perſons ſhall alter the mark ſtamp- n any barrel of flour by the ſaid inſpector, or ſhall mark or brand any barrel of flour which hath been inſpected, with any mark or brand ſimilar to, or in imitation of, the inſpector's ſaid mark rand, or after the ſaid inſpector ſhall have paſſed any barrel of flour as merchantable, ſhall pack the caſk which contains the ſame any other flour, or after any barrel of flour ſhall be branded a broad arrow, ſhall unpack and repack the ſame into other caſks or packages, for exportation of this province, ſuch perſon or perſons ſhall forfeit and pay the ſum of forty ſhillings current ey for every barrel. Penalty in caſe of fraud.

V. AND BE IT FURTHER ENACTED, That the ſaid inſpector of flour ſhall inſpect all flour as he be reaſonably requeſted, from time to time, under the penalty of ten ſhillings current money every neglect or refuſal. And for neglect.

VI. AND BE IT FURTHER ENACTED, That all and every the penalties and forfeitures in and by act ſet and appointed ſhall be recovered before a ſingle magiſtrate, as in caſe of ſmall debts, in name of the commiſſioners of the ſaid town, and be by them laid out and expended in mending public wharfs and ſtreets in the ſaid town. Penalties, how to be recovered, &c.

XVII. AND

CHAP. XV.

Officer may be removed.

XVII. AND BE IT FURTHER ENACTED, That the ſaid commiſſioners, or the major part of ſhall be and are hereby empowered, at any time to diſplace or remove the ſaid officer from h ſpective office, if the ſaid commiſſioners, or the major part of them, ſhall ſee cauſe, and ſha may nominate and appoint another fit perſon to ſuch office during the reſidue of the year, who have power to execute the ſame office, according to the directions of this act, on his taking th oath of office.

Proviſo.

XVIII. PROVIDED ALWAYS, AND BE IT ENACTED, That before the ſaid officer ſhall enter upo execution of his office he ſhall take the ſeveral oaths, or affirmations, appointed by law to be to the government, and repeat and ſubſcribe the oath of abjuration and the teſt before ſome of the peace.

Duration.

XIX. This act to continue three years, and unto the end of the next ſeſſion of aſſembly ſhall happen after the end of the ſaid three years.

Continued for ſeven years, &c. by February, 1777, ch. 17, for two years, &c. by 1784, ch. 83, for ſeven years, &c. b ch. 35, till 30th January, 1798, by 1794, ch. 71, ſubject to the operation of laws ſince made repealing or altering it. R Revived and continued, (except where altered by other acts,) by 1798, ch. 10, to the end of the ſeſſion, and all acts done it confirmed, and by 1798, ch. 71, continued to 30th October, 1805. By April, 1782, ch. 5, it is declared, that the act vent the exportation of bread and flour not merchantable, &c. November, 1781, ch. 12, ſhall have full force, and apply to town, in Montgomery county, as if made for the ſaid town.

CHAP. XVI.

Paſſed 30th of Nov. 1771.

A Supplementary act to the act, entitled, (a) An act to enable the juſtices of Dorcheſter county to aſſeſs and levy on the taxable inhabitants of the ſaid county a quantity of tobacco for the poſe of building a court-houſe. Lib. RG. fol. 119.

(a) September, 1770, ch. 13.

CHAP. XVII.

An ACT to empower Frank Leeke and George Digges, adminiſtrators of Charles Digges, la Prince-George's county, deceaſed, with the laſt will of the ſame Charles to their letters of ad ſtration annexed, to ſell a lot of ground of the ſame Charles, ſituate and being in the town o per-Marlborough, in Prince-George's county aforeſaid, for the payment of the debts of the Charles Digges. Lib. RG. fol. 121. A Private Act.

CHAP. XVIII.

* 1768, ch. 29.

An additional ſupplementary act to the act, entitled, * An act for relief of the poor within the ſeveral counties therein mention Lib. RG. fol. 123.

Preamble.

WHEREAS by the act, entitled, A ſupplementary act to the act, entitled, An act for the of the poor within the ſeveral counties therein mentioned, that the juſtices of Fred county court for the time being were thereby required and empowered, upon the application o truſtees for the poor, or the major part of them, to aſſeſs and levy on the taxable inhabitants o ſaid county a quantity not exceeding ten pounds of tobacco by the poll, in the years ſeventeen dred and ſeventy and ſeventeen hundred and ſeventy-one, together with the ſheriff's ſalary o *per cent.* for collection, but it appearing that for the want of timely notice of the ſaid act, no pa the above aſſeſſments, as by the ſaid act required, was levied by the juſtices of ſaid county at November court in the year ſeventeen hundred and ſeventy.

Juſtices to levy tobacco, &c.

II. BE IT THEREFORE ENACTED, *by the right honourable the Lord Proprietary, by and with the advic conſent of his lordſhip's Governor, and the Upper and Lower Houſes of Aſſembly, and the authority of the* That the juſtices of Frederick county ſhall and may, and they are hereby required, to levy o taxable inhabitants of the ſaid county, at their November court in this preſent year, a quantity exceeding twenty pounds of tobacco by the poll, together with the ſheriff's ſalary of five *per cen* collecting the ſame, and no further or other aſſeſſments ſhall be made by the ſame juſtices, by v of the ſaid above recited act; which ſaid aſſeſſment of twenty pounds of tobacco by the poll made as aforeſaid in virtue of this act, ſhall be collected, levied, accounted for and paid to the truſtees, in the ſame manner as the aſſeſſments made in virtue of the ſaid act were to have been lected, levied, accounted for and paid, and ſhall be applied by the ſaid truſtees for the time being the major part of them, to and for the ſame uſe, benefit and charge, as they were directed by ſaid act to apply the tobacco which by the ſaid act was to have been aſſeſſed and levied in the y ſeventeen hundred and ſeventy and ſeventeen hundred and ſeventy-one, any thing contained in ſaid act to the contrary in anywiſe notwithſtanding.

CH

CHAP. XIX.

T to enable the commiſſioners for emitting bills of credit to pay to William Mills, John Pea- Peter Payne, executor of Ralph Price, and Anne Gaither, the ſums of money therein men- d. Lib. RG. fol. 124. Paſſed 30th of Nov. 1771.

CHAP. XX.

T to prevent the exportation of flour, ſtaves and ſhingles, not merchantable, from the town ltimore, in Baltimore county, and to regulate the weight of hay and meaſure of grain, ſalt, eed and firewood, within the ſaid town, and to prevent the exportation of flour, not mer- table, from Fell's Point, in the ſaid county. Lib. RG. fol. 125.

act was to continue ſeven years, &c. Continued for ſeven years by October, 1778, ch. 15, by October, 1780, ch. 36, and continued for ſeven years, &c. by November, 1787, ch. 38, continued for ſeven years, &c. by 1795, ch. 83, revived tinued to 30th January, 1798; by 1790, ch. 59, the continuing act of October, 1780, ch. 36, is continued to 30th October, c. by 1797, ch. 116, (a general continuing act,) continued to 1ſt November, 1798, &c. Theſe acts have not ſince been y continued, but by the act to erect Baltimore-town into a city, 1796, ch. 68, it was declared, that all acts of the legiſla- n in force ſhould ſo continue, but that the powers veſted in the commiſſioners, &c. ſhould be transferred to the corporation; hat clauſe, this act would have continued, but the objects of it are provided for under ſeveral ordinances of the corporation ity of Baltimore, ſince which it has ceaſed to have any operation. The parts relating to the inſpection of flour had been d by November, 1781, ch. 12, ſection 24.

CHAP. XXI.

T continuing an act, entitled, (a) An act for licenſing ordinary-keepers, hawkers, pedlers etty chapmen. Lib. RG. fol. 137.

768, ch. 27, continued for one year, &c. by June, 1773, ch. 2, for ſeven years, &c. Repealed March, 1780, ch. 24.

CHAP. XXII.

T for the relief of certain priſoners in the ſeveral gaols therein mentioned. Lib. RG. fol. A Private Act.

CHAP. XXIII.

T to remedy divers defects in the records of Charles county. Lib. RG. fol. 143.

CHAP. XXIV.

T for the further adjournment and continuance of the high court of appeals. Lib. RG. 145.

CHAP. XXV.

T for the adjournment and continuance of Frederick county court. Lib. RG. fol. 145.

CHAP. XXVI.

T empowering the juſtices of Prince-George's and Charles counties to levy on the taxable in- ants of St. John's (commonly called King-George's,) pariſh, in ſaid counties, the quantity of ix thouſand pounds of tobacco, for the purpoſes therein mentioned. Lib. RG. fol. 146.

CHAP. XXVII.

T for the naturalization of Charles Frederick Wieſenthal. Lib. RG. fol. 147. A Private

CHAP. XXVIII.

T to levy on the taxable inhabitants of Baltimore county the quantity of three hundred ſand pounds of tobacco, for finiſhing and completing the court-houſe and priſon of the ſaid ty. Lib. RG. fol. 148.

CHAP. XXIX.

T to empower Elizabeth Williams, adminiſtratrix of George Williams, with the will annex- to make and execute the conveyances therein mentioned. Lib. RG. fol. 150. A Private Act.

CHAP. XXX.

T to empower Jane Ridgely, executrix of Nicholas Greenberry Ridgely, late of Anne- del county, deceaſed, to convey the land therein mentioned. Lib. RG. fol. 154. A Pri- Act.

CHAP. XXXI.

ditional ſupplementary act to the act, entitled, * An act for the eſtabliſhment of religious * 1702, ch. 1. hip in this province according to the church of England, and for the maintenance of miniſters. RG. fol. 156.

s act was to continue ſeven years, &c. and before theſe had expired it ceaſed to have operation, by the diſſolution of the vernment and the formation of the new.

CHAP. XXXII.

T to enable the executors of Thomas Colvill to convey the land therein mentioned. Lib. fol. 159. A Private Act.

CHAP. XXXIII.

Passed 30th of Nov. 1771. An ACT for amending and declaring the law in the caſes therein mentioned. Lib. RG. f

To continue ſeven years. Expired.

CHAP. XXXIV.

An ACT for the ſpeedy and effectual publication of the laws of this province, and for the enc ment of Anne Catharine Green, of the city of Annapolis, printer. Lib. RG. fol. 163.

CHAP. XXXV.

An ACT to empower Mary Louttit, executrix of James Louttit, deceaſed, to convey one u third part of the mill and land therein mentioned. Lib. RG. fol. 166. A Private Act.

CHAP. XXXVI.

An ACT relating to the levy and poor of Anne-Arundel co Lib. RG. fol. 167.

Preamble. WHEREAS by the act, entitled, An act for emitting bills of credit, and other purpoſes mentioned, it was directed, that the juſtices of Anne-Arundel county ſhould, at the laying the levy of the ſaid county for this preſent year, aſſeſs and levy the quantity of tobacco by directed, for repairing and fitting up the building therein mentioned for a court-houſe and clerk's office, and it appearing to this general aſſembly, that the ſaid tobacco will not be wan that purpoſe for ſome time hence: And whereas by another act, entitled, An act for the relief poor within the ſeveral counties therein mentioned, it was alſo directed, that the ſame juſtices at the time of laying the levy of the ſaid county for this preſent year, aſſeſs and levy a quan tobacco to be applied to the uſe of the poor, and other purpoſes therein mentioned; and it be preſented to this general aſſembly, that no land hath been purchaſed, nor any buildings agreeable to the directions of the ſaid act, and that the ſame tobacco will not be wanted for th poſe for ſome time hence;

Tobacco not to be aſſeſſed, &c. II. BE IT ENACTED, *by the right honourable the Lord Proprietary, by and with the advice and conſe lordſhip's Governor, and the Upper and Lower Houſes of Aſſembly, and the authority of the ſame,* Th ſaid tobacco firſt above mentioned ſhall not be aſſeſſed or levied by the ſaid juſtices until the la the levy of the ſaid county for the year ſeventeen hundred and ſeventy-five, when it ſhall a be aſſeſſed and levied, and applied as in the ſaid act was directed, and the ſaid tobacco laſt mentioned ſhall not be aſſeſſed or levied by the ſaid juſtices until the laying the levy of the ſaid ty for the year ſeventeen hundred and ſeventy-four, when it ſhall and may be aſſeſſed and levie applied to the uſe of the poor, and the other purpoſes in the ſaid act directed.

Truſtees to purchaſe land, &c. III. AND, whereas it is repreſented to this general aſſembly, by the truſtees for the poor of Arundel county, that they have not been able to find any owners of land near and convenient city of Annapolis, willing to diſpoſe of the ſame; BE IT FURTHER ENACTED, That the ſaid tr for the poor of the ſaid county, or the major part of them, and their ſucceſſors, be and are h authoriſed and required to buy and purchaſe in fee, any quantity of land within ten miles of th city of Annapolis, not exceeding one hundred acres, which they ſhall think proper and conv for the uſes and purpoſes by the ſaid act directed, and to agree with the owner or owners of th land for the abſolute purchaſe thereof, and to cauſe thereon ſuch buildings and erections to be for the uſe of the poor, as are required by the act, entitled, An act for the relief of the poor the ſeveral counties therein mentioned.

And ſue, &c. IV. AND BE IT FURTHER ENACTED, That the truſtees for the poor in the ſeveral counties w work-houſes are to be erected under the ſaid act, ſhall be and are hereby enabled and empowe demand, ſue for, recover and receive, of and from the preſent or late ſheriffs, any ſum or ſ money or tobacco remaining in their hands reſpectively, for or on account of the aſſeſſments virtue of the ſaid act.

CHAP. XXXVII.

An ACT empowering the county courts to ſettle with perſons who were formerly inſpectors bacco. Lib. RG. fol. 169.

SESSION of ASSEMBLY begun and held at the CITY of NNAPOLIS, on Tuesday, the 15th day of June, in the 2d r of the dominion of the right honourable HENRY HARFORD, quire, abſolute Lord and Proprietary of the province of Mary- d, and ended the 3d day of July, *anno domini* 1773, the fol- ving laws were enacted.

ROBERT EDEN, ESQUIRE, GOVERNOR.

CHAP. I.

T concerning eſtates-tail and the juriſdiction of the county courts. Lib. RG. fol. 171. Paſſed 3d of July, 1773.

nued for one year, &c. by October, 1780, ch. 12, for one year, &c. by November, 1781, ch. 7. All the parts relating to diction of the county courts were again continued until the end of the next ſeſſion by November, 1782, ch. 32. Con- till the end of the next ſeſſion by April, 1783, ch. 36, continued for one year, &c. by November, 1783, ch. 30, and by . 83, continued until the end of the next ſeſſion, when they expired. The clauſes reſpecting eſtates-tail expired with er ſeſſion, 1782.

CHAP. II.

CT to continue the acts of aſſembly therein mentioned. Lib. G. fol. 173.

T ENACTED, *by the right honourable the Lord Proprietary, by and with the advice and conſent of his vernor, and the Upper and Lower Houſes of Aſſembly, and the authority of the ſame*, That an act bly of this province, entitled, An act for the relief of ſuch perſons as cannot find ſurety for pearance to teſtify as a witneſs againſt any perſon arreſted, accuſed or proſecuted for any matter, made at a ſeſſion of aſſembly begun and held at the city of Annapolis the third day one thouſand ſeven hundred and fifty-two, (a) be and is hereby continued, and ſhall remain in full force for and during the term of ſeven years, and to the end of the next ſeſſion of which ſhall happen after the end of the ſaid ſeven years; that another act of aſſembly of vince, entitled, An act to enable the ſeveral and reſpective county clerks within this province ve ſome of the county records and papers from the public offices, made at a ſeſſion of aſſembly nd held at the city of Annapolis the tenth day of May, ſeventeen hundred and forty-eight, (b) is hereby continued, and ſhall remain and be in full force for and during the term of ſeven nd to the end of the next ſeſſion of aſſembly which ſhall happen after the end of the ſaid ears; that another act of aſſembly, entitled, An act for the more effectual puniſhment of ne- d other ſlaves, and for taking away the benefit of clergy from certain offenders, and A ſup- ary act to an act, entitled, An act to prevent the tumultuous meeting and other irregularities oes and other ſlaves, and directing the manner of trying ſlaves, made at a ſeſſion of aſſembly nd held at the city of Annapolis the fifteenth day of May, ſeventeen hundred and fifty-) be and is hereby continued, and ſhall remain and be in full force for and during the term of ears, and to the end of the next ſeſſion of aſſembly which ſhall happen after the end of the en years; that another act of aſſembly, entitled, An act to make the teſtimony of convicted legal againſt convicted perſons, made at a ſeſſion of aſſembly begun and held at the city of lis the fifteenth day of May, ſeventeen hundred and fifty-one, (d) be and is hereby continued, l remain and be in full force for and during the term of ſeven years, and to the end of the ſion of aſſembly which ſhall happen after the end of the ſaid ſeven years; that another act of , entitled, A ſupplementary act to an act, entitled, An act laying an impoſition on negroes eral ſorts of liquors imported, and alſo on Iriſh ſervants, to prevent the importing too great er of Iriſh papiſts into this province, made at a ſeſſion of aſſembly begun and held at the city apolis the twentieth day of March, ſeventeen hundred thirty-four, (e) be and is hereby con- and ſhall remain and be in full force for and during the term of twenty-one years, and to the the next ſeſſion of aſſembly which ſhall happen after the end of the ſaid twenty-one years; other act of aſſembly, entitled, An act for the more effectual puniſhment of certain offenders, taking from them the benefit of clergy, made at a ſeſſion of aſſembly begun and held at the Annapolis the twenty-ſixth day of April, ſeventeen-hundred and thirty-ſeven, (f) be and is hereby

Several acts continued.

752, ch. 13. (b) 1748, ch. 7. (c) 1751, ch. 14. (d) 1751, ch. 11. (e) 1734, ch. 6. (f) 1737, ch. 2.

CHAP. II.

hereby continued, and ſhall remain and be in full force for and during the term of ſeven years to the end of the next ſeſſion of aſſembly which ſhall happen after the end of the ſaid ſeven that another act of aſſembly, entitled, An additional and explanatory act to the act, entitled, empowering the commiſſioners of the county courts to levy and raiſe tobacco to defray the ne charges of their counties and pariſhes, made at a ſeſſion of aſſembly begun and held at the Annapolis the tenth day of May, ſeventeen hundred and forty-eight, (g) be and is hereby con and ſhall remain and be in full force for and during the term of ſeven years, and to the end next ſeſſion of aſſembly which ſhall happen after the end of the ſaid ſeven years; that another aſſembly, entitled, An act relating to guardians and orphans, made at a ſeſſion of aſſembly beg held at the city of Annapolis the twenty-eighth day of March, ſeventeen hundred fifty-eig be and is hereby continued, and ſhall remain and be in full force for and during the term o years, and to the end of the next ſeſſion of aſſembly which ſhall happen after the end of t ſeven years; that another act of aſſembly, entitled, An act to exempt perſons appearing at from arreſts in civil caſes, made at a ſeſſion of aſſembly begun and held at the city of Annap tenth day of May, ſeventeen hundred forty-eight, (i) be and is hereby continued, and and remain in full force for and during the full term of ſeven years, and to the end of the ne on of aſſembly which ſhall happen after the end of the ſaid ſeven years; that another act of a entitled, An act for puniſhment of horſe-ſtealers and other offenders, made at a ſeſſion of a begun and held at the city of Annapolis the firſt day of May, ſeventeen hundred and forty-fo be and is hereby continued, and ſhall be and remain in full force for and during the term o years, and to the end of the next ſeſſion of aſſembly which ſhall happen after the end of t ſeven years; that another act of aſſembly, entitled, An act for deſtroying wolves in Frederic ty, made at a ſeſſion of aſſembly begun and held at the city of Annapolis the fifteenth day o ſeventeen hundred and fifty-one, (l) be and is hereby continued, and ſhall be and remain in fu for and during the term of ſeven years, and to the end of the next ſeſſion of aſſembly whi happen after the end of the ſaid ſeven years; that another act of aſſembly, entitled, An ad ſupplementary act to the act, entitled, An act relating to ſervants and ſlaves, made at a ſe aſſembly begun and held at the city of Annapolis the tenth day of May, ſeventeen hundred an eight, (m) be and is hereby continued, and ſhall be and remain in full force for and during t of ſeven years, and to the end of the next ſeſſion of aſſembly which ſhall happen after the en ſaid ſeven years; that another act of aſſembly, entitled, An act to eaſe the inhabitants of t vince, and to empower the juſtices of the ſeveral counties to bind out the perſons therein me apprentices, made at a ſeſſion of aſſembly begun and held at the city of Annapolis the firſt November, ſeventeen hundred ſixty-ſix, (n) be and is hereby continued, and ſhall be and re full force for and during the term of ſeven years, and to the end of the next ſeſſion of aſſembly ſhall happen after the end of the ſaid ſeven years; that another act of aſſembly, entitled, A mentary act to the act, entitled, An act aſcertaining what damages ſhall be allowed upon p bills of exchange, made at a ſeſſion of aſſembly begun and held at the city of Annapolis the of November, ſeventeen hundred and ſixty-five, (o) be and is hereby continued, and ſhall remain in full force for and during the term of ſeven years, and to the end of the next ſe aſſembly which ſhall happen after the end of the ſaid ſeven years; that another act of aſſemb titled, An act to oblige infected ſhips and other veſſels coming into this province to perform tine, made at a ſeſſion of aſſembly begun and held at the city of Annapolis the firſt day of No ſeventeen hundred ſixty-ſix, (p) be and is hereby continued, and ſhall be and remain in full for and during the term of three years, and to the end of the next ſeſſion of aſſembly which ſhall after the end of the ſaid three years; and that another act of aſſembly, entitled, An act for li ordinary-keepers, hawkers, pedlers and petty chapmen, made at a ſeſſion of aſſembly begun a at the city of Annapolis the twenty-fourth day of May, ſeventeen hundred and ſixty-eight, and is hereby continued, and ſhall be and remain in full force for and during the term of ſeve and to the end of the next ſeſſion of aſſembly which ſhall happen after the end of the ſa years.

Proviſo.

II. PROVIDED, AND BE IT ENACTED, That the ſeveral liſts and payments, required to be r and made to the treaſurers of the weſtern and eaſtern ſhores of this province reſpectively by laſt before continued, ſhall from henceforth be returned and made to the commiſſioners appoin to be appointed, by virtue of the act, entitled, An act for emitting bills of credit, and oth poſes therein mentioned, by the times, in the manner, and under the ſame penalties, as the the act hereby continued were to be returned and paid to the treaſurers aforeſaid, any thing ſaid act to the contrary notwithſtanding, and the monies which ſhall be paid to the comm

(g) 1748, ch. 20 (h) 1758, ch. 4. (i) 1748, ch. 1. (k) 1744, ch. 20. (l) 1751, ch. 3. (m) 17
(n) November, 1766, ch. 15. (o) November, 1765, ch. 3. (p) November, 1768, ch. 25. (q) 1768, ch. 2

ſaid by the ſheriffs of the ſeveral and reſpective counties of this province, ſhall be placed out at reſt, on loan, on bond with good ſecurity, in the ſame manner, in every reſpect, as directed as e loan of bills of credit by the ſaid act.

CHAP. III.

ACT reviving and continuing an act, entitled, (a) An act for amending and repairing the public ads in Baltimore county. Lib. RG. fol. 176.

Paſſed 3d of July, 1773.

a) November, 1766, ch. 24, continued for two years, &c. Continued for three years, &c. by February, 1777, ch. 17, and one year, &c. by March, 1780, ch. 21. Expired.

CHAP. IV.

ACT for the enlargement of Baltimore-town. Lib. RG. fol. 176.

HEREAS ſundry inhabitants of Baltimore county, by their humble petition to this general aſſembly, have ſet forth, that there are about eighty acres of land, lying on the eaſt and -eaſt part of Baltimore-town, very commodiouſly ſituated, and convenient to be laid out into and made part of the ſaid town, therefore humbly pray that it may be enacted,

Preamble.

I. AND BE IT ENACTED, *by the right honourable the Lord Proprietary, by and with the advice and conſent of his Governor, and the Upper and Lower Houſes of Aſſembly, and the authority of the ſame*, That the miſſioners of the ſaid Baltimore-town, and Jonathan Plowman, Iſaac Vanbebber and John Dea- who are hereby appointed commiſſioners for the purpoſes herein mentioned, or the major part hem, do, with the conſent of the proprietors of the ſaid eighty acres of land, or thereabouts, rtue of this act, at any time they ſhall ſee convenient before the twentieth day of October next, the ſaid eighty acres of land, or thereabouts, to be ſurveyed and laid out into lots, ſtreets, and alleys, in ſuch manner as to them ſhall ſeem convenient; and any perſon or perſons that build or improve on the ſaid eighty acres of land, or thereabouts, after the ſame ſhall be laid nto lots, as by former laws relating to the ſaid town are directed, and purchaſe the ſame from proprietor or proprietors, ſhall have an abſolute eſtate of inheritance in any lot or lots ſo to be and purchaſed, but the purchaſer or purchaſers of any part of the ſaid eighty acres, or there- s, are hereby left to agree with the proprietor or proprietors thereof, and not otherwiſe to have to any the ſaid new lot or lots to be laid out in virtue of this act.

Land to be ſurveyed, &c.

II. AND, whereas there are divers ſtreets, lanes and alleys, already laid out on part of the ſaid y acres of land, or thereabouts, IT IS HEREBY ENACTED, That the ſame be confirmed, and nothing in this act ſhall extend, or be conſtrued to extend, to authoriſe or empower the ſaid miſſioners, or any of them, to alter or change the ſame; and that the ſaid ſtreets, lanes and s, already laid out, and which ſhall hereafter be laid out in purſuance of this act, ſhall be high- , and be ſo deemed and taken to all intents and purpoſes whatſoever.

Streets, &c. confirmed.

V. AND BE IT FURTHER ENACTED, That the commiſſioners aforeſaid, or the major part of them, on or before the firſt day of December next, cauſe a correct and accurate ſurvey and plot to be of the ſaid eighty acres of land, or thereabouts, and of all the lots, ſtreets, lanes and alleys, h are now laid out on the ſame, and which ſhall be hereafter laid out in virtue of this act, and aid plot ſhall, by the order and direction of the juſtices of Baltimore county, cauſe to be record- mongſt the records of the ſaid county, on or before the firſt day of April next, there to remain idence of the boundaries, ſituation and location, of the ſaid lots, and of the ſtreets, lanes and s aforeſaid; and that when the ſame ſhall be done, the ſaid eighty acres of land, or thereabouts, be, and are hereby declared to be, part of Baltimore-town aforeſaid, to all intents and pur- whatſoever, as fully and amply as if included originally therein, and have the ſame immunities privileges as the reſt of the ſaid town has, or by former laws ought to have; ſaving to his moſt d majeſty, his heirs and ſucceſſors, and all bodies politic and corporate, and all others not men- d in this act, their ſeveral and reſpective rights.

Survey and plot to be made, &c.

CHAP. V.

ACT to prevent counterfeiting the paper money of other colonies. Lib. RG. fol. 177.

This act expired with June ſeſſion, 1778; it was revived by the act of November, 1779, ch. 12, to continue ſeven years, &c. ired.

CHAP. VI.

ACT to enable the commiſſioners for emitting bills of credit to provide ſtationary for the uſe of upper and lower houſes of aſſembly. Lib. RG. fol. 178.

CHAP.

CHAP. VII.

Passed 3d of July, 1773.

An ACT to continue the acts therein mentioned. Lib. RG. fol. 1

Acts continued.

BE IT ENACTED, *by the right honourable the Lord Proprietary, by and with the advice and consent of his Governor, and the Upper and Lower Houses of Aſſembly, and the authority of the ſame,* That act, entitled, An act to prevent certain evils and inconveniencies attending the ſale of ſtrong liquors and running of horſe-races, near the yearly meetings of the people called Quakers, and to prevent the tumultuous concourſe of negroes and other ſlaves during the ſaid meetings, made at a ſeſſion of aſſembly begun and held at the city of Annapolis the eleventh day of July, in the year of our Lord one thouſand ſeven hundred and forty-ſeven, (a) and a ſupplementary act thereto, made at a ſeſſion of aſſembly begun and held at the city of Annapolis the twenty-third day of June, in the year of our Lord one thouſand ſeven hundred and fifty-two, (b) be and are hereby continued in full force for and during the term of ſeven years, and until the end of the next ſeſſion of aſſembly, and no longer.

An act continued.

II. AND BE IT FURTHER ENACTED, That an act, entitled, An act for preventing the evil occaſioned by continuance of ſuits at law on ſuggeſtion of want of evidence from beyond the ſea, made at a ſeſſion of aſſembly begun and held at the city of Annapolis the ſeventeenth day of November, in the year of our Lord one thouſand ſeven hundred and ſixty-nine, (c) be and is hereby continued in full force for and during the term of ſeven years, and to the end of the next ſeſſion of aſſembly which ſhall happen after the expiration of the ſaid ſeven years.

(a) 1747, ch. 17. (b) 1752, ch. 14. (c) 1769, ch. 23.

CHAP. VIII.

An ACT for the relief of John M'Lure, and others. Lib. RG. fol. 179. A Private Act.

CHAP. IX.

An ACT for the relief of the poor in Frederick county. Lib. RG. fol. 180.

This act was to continue ſeven years, &c. Expired.

CHAP. X.

An ACT to empower William Bernard and Thomas Jett, or either of them, to ſell and convey lands therein mentioned, agreeable to the directions of the laſt will and teſtament of John Mo Jordan, Eſquire, deceaſed. Lib. RG. fol. 181. A Private Act.

CHAP. XI.

An ACT confirming to James Hendricks, of Baltimore county, ſundry lands therein mentio Lib. RG. fol. 183. A Private Act.

CHAP. XII.

An ACT for the relief of certain priſoners in the ſeveral gaols therein mentioned. Lib. fol. 183. A Private Act.

CHAP. XIII.

An ACT for the better regulating attachments. Lib. RG. fol. 187.

Continued for ſeven years, &c. by October, 1780, ch. 12, for ſeven years, &c. by November, 1787, ch. 34, to 30th Ju 1798, by 1795, ch. 83. Expired. Revived and continued, (except where altered by other acts,) by 1798, ch. 10, to the e the ſeſſion, and all acts done under it confirmed. Expired. The 19th ſection of this act repealed ſuch parts of the act of ch. 8, as related to attachments.

CHAP. XIV.

An ACT to enable the repreſentatives of deceaſed treaſurers to pay over the balances in t hands. Lib. RG. fol. 194.

a SESSION of ASSEMBLY begun and held at the CITY of ANNAPOLIS, on Tuesday, the 16th day of November, in the d year of the dominion of the right honourable HENRY HARFORD, Esquire, absolute Lord and Proprietary of the province of Maryand, and ended the 23d day of December, *anno domini* 1773, he following laws were enacted.

ROBERT EDEN, ESQUIRE, GOVERNOR.

CHAP. I.

CT for the regulation of the staple of tobacco, and for preventing frauds in his majesty's cus- Passed 23d of Dec. 1773.
s. Lib. RG. fol. 196.

To continue three years. Continued by ch. 31, for twelve years, &c. Repealed by June, 1780, ch. 14, section 84.

CHAP. II.

CT to explain an act relating to leases made by the rector, vestrymen and churchwardens, of t-Anne's parish. Lib. RG. fol. 234.

CHAP. III.

ACT for quieting sundry inhabitants of Frederick county in heir possessions. Lib. RG. fol. 235.

HEREAS it appears to this general assembly, that sundry the inhabitants of Frederick coun- Preamble.
ty have made purchases of lands, and obtained conveyances for the same, which conveyances cknowledged before Thomas Prather, a magistrate of the county only, and are therefore de-
;

BE IT ENACTED, *by the right honourable the Lord Proprietary, by and with the advice and con-* Conveyances made valid.
his Governor; and the Upper and Lower Houses of Assembly, and the authority of the same, That the yances aforesaid, and every of them, acknowledged as aforesaid before Thomas Prather only, e as valid and effectual in law, as if the same had been acknowledged before a justice of the cial court, or two justices of the county court, any law to the contrary thereof notwithstand-

CHAP. IV.

CT to enable Martha Roundell, and others, to make partition of the land therein mentioned. RG. fol. 235. A Private Act.

CHAP. V.

CT directing the sale of the lands of John Stone Hawkins, deceased, for the payment of his s. Lib. RG. fol. 236. A Private Act.

CHAP. VI.

ACT for the division of Baltimore county, and for erecting a ew one by the name of Harford. Lib. RG. fol. 239.

HEREAS a considerable body of the inhabitants of Baltimore county, by their petition to Preamble.
this general assembly, have prayed, that an act may be passed for a division of the said coun- for erecting a new one out of part thereof: And whereas it appears to this general assembly, e erecting of a new county out of such part of Baltimore county will conduce greatly to the d convenience of the people thereof;

BE IT THEREFORE ENACTED, *by the right honourable the Lord Proprietary, by and with the advice* A new county erected, &c.
ent of his Governor, and the Upper and Lower Houses of Assembly, and the authority of the same, That e second day of March next, all that part of Baltimore county which is included within the following, to wit: Beginning at the mouth of the little falls of Gunpowder river, and running

CHAP. VI.

ning with the ſaid falls to the fountain head, and from thence north to the temporary line of province, and thence with the temporary line to Suſquehanna river, thence with Suſquehanna Cheſapeake bay, and thence with the ſaid bay, including Speſutia and Pool's iſlands, to the m of Gunpowder river, and thence up the ſaid river to the beginning aforeſaid, ſhall be and is he erected into a new county, by the name of Harford county.

Inhabitants to enjoy rights.

III. AND BE IT ENACTED, That the inhabitants of Harford county aforeſaid ſhall have, hol enjoy, all ſuch rights and privileges as are held and enjoyed by the inhabitants of any county i province.

Commiſſioners appointed, &c.

IV. AND BE IT ENACTED, That Mr. John Paca, Mr. Aquila Hall, Mr. John Matthews, Mr. Hall, of Cranbury, Mr. Amos Garrott, Mr. Richard Dallam and Mr. Benedict Edward Hall, be and are hereby appointed commiſſioners for Harford county aforeſaid, and they, or the major of them, ſhall be and they are hereby authoriſed and required, to buy and purchaſe, in fee, a qu ty of land, not exceeding four acres of land, in or adjoining to Buſh-town, on the head of river, for the purpoſe of building thereon a court-houſe and priſon for the ſaid county, and cauſe the ſaid land to be laid out by the ſurveyor of Baltimore county, with good and ſufficient daries, and a certificate thereof to be returned and recorded in the records of the ſaid county; the ſaid commiſſioners, or the major part of them, ſhall draw their order on the ſheriff of Ha county, to pay ſuch ſum as ſhall be agreed upon for the ſaid land, and the ſheriff is hereby dir and required to pay the ſaid order out of the money hereafter mentioned, to be collected by hi that purpoſe; and ſuch payment for the land aforeſaid ſhall inveſt the juſtices of Harford county their ſucceſſors, with an eſtate in fee-ſimple therein, for the uſe of the ſaid county, for ever; the ſaid commiſſioners, or the major part of them, and the owner of the ſaid land, ſhould differ the value of the ſaid land, in ſuch caſe the commiſſioners, or the major part of them, ſhall be and are hereby authoriſed and empowered to order the ſheriff of Baltimore county to ſummon twelve holders upon the ſaid land, who ſhall be impannelled and ſworn as a jury, to inquire the value o ſaid land; and the ſaid commiſſioners, or the major part of them, ſhall draw their order upon th riff of Harford county to pay the ſaid valuation, and the ſaid ſheriff is hereby directed to pay th order out of the money hereafter mentioned, to be by him collected for that purpoſe, and upo payment of the ſaid order, the fee-ſimple in the ſaid land ſhall be inveſted as aforeſaid in the ju of Harford county, and their ſucceſſors, for the uſe of the ſaid county for ever.

Juſtices to contract for a place, &c.

V. AND BE IT ENACTED, That the juſtices of Harford county, or the major part of them hereby authoriſed to contract and agree for a convenient place in Buſh-town to hold the courts f ſaid county, and to contract and agree for a convenient place in the ſaid town for their book pers and other records, and alſo for a fit building for the cuſtody of priſoners; and the ſaid c ſhall be held, and records kept, at ſuch places reſpectively, until the court-houſe and priſon f ſaid county ſhall be erected and built, and the charge and expence of ſuch places ſhall be defray the ſaid county, and aſſeſſed with the public and county levy.

Tobacco to be levied in Harford, &c.

VI. AND BE IT ENACTED, That the juſtices of Harford county ſhall be and they are hereb thoriſed and required to aſſeſs and levy on the taxable inhabitants of the ſaid county, wit public and county levy, as much tobacco as will pay for the purchaſe or valuation of the land a ſaid, together with the ſheriff's ſalary of five *per centum* for collection; which ſaid quantity bacco ſhall be collected by the ſheriff of the ſaid county from the taxable inhabitants of th county, in the ſame manner as other public and county levies are by law collected, and the ſa bacco, when collected, ſhall be paid by the ſheriff to ſuch perſon or perſons as the commiſſ aforeſaid, or the major part of them, ſhall order and direct.

And in Baltimore, &c.

VII. AND, whereas the taxable inhabitants of that part of Baltimore county hereby erecte Harford county have paid a proportionable quantity of tobacco towards the building the court and priſon in Baltimore-town, in Baltimore county: And whereas a conſiderable ſum of mone raiſed by the ſale of the old court-houſe and priſon at Joppa, and applied towards erecting th court-houſe and priſon; and foraſmuch as juſtice requires, that the ſaid proportionable quant tobacco, and a proportionable part of the ſaid money, ſhould be refunded, and applied toward building of the court-houſe and priſon now to be erected in Harford county; BE IT THERE ENACTED, That the juſtices of Baltimore county ſhall be and they are hereby authoriſed and req to aſſeſs and levy, by two equal aſſeſſments, the next year and year afterwards, with their publi county levy, the quantity of one hundred and fifty-four thouſand ſix hundred and ſixty-ſix pou tobacco, in and upon the taxable inhabitants of Baltimore county, together with the ſheriff's

per centum for collection, which said quantity of tobacco, so to be assessed and levied, shall be d by the sheriff of Baltimore county from the taxable inhabitants thereof, in the same manner r public and county levies are by law collected, and the said tobacco, when collected, shall be the said sheriff to the commissioners aforesaid, and shall be by them applied towards building rt-house and prison in the said county of Harford.

. AND BE IT ENACTED, That the justices of Harford county shall be and they are hereby Tobacco to be levied, &c. sed and required to assess and levy with the public and county levy, by two equal assessments, next year and the year afterwards, the quantity of two hundred thousand pounds of tobacco, r with the sheriff's salary of five *per centum* for collection, which said tobacco, so to be assess- levied, shall be collected by the sheriff of Harford county from the taxable inhabitants of the unty, in the same manner as other public and county levies are by law collected; which said , when collected, shall be paid by the said sheriff to the commissioners aforesaid, and applied n towards building the court-house and prison aforesaid for the said county.

AND BE IT ENACTED, That the commissioners aforesaid, or the major part of them, shall be Commissioners to contract, &c. y are hereby authorised and required to contract and agree for the building of the said court- nd prison, which said court-house and prison shall be built and erected on the land to be pur- as aforesaid, in or adjoining to Bush-town, on the head of Bush river; and the said town, af- commencement of this act, shall be called Harford-town.

AND BE IT ENACTED, That all causes, pleas, process and pleadings, which now are or shall Causes, &c. may be prosecuted, &c. nding in Baltimore county court before the second day of March next, shall and may be pro- as effectually as they might have been had this act never been made; and in case any deeds eyances of lands in Harford county have been, or shall be before the division aforesaid, ac- dged according to law in Baltimore county, the enrolment or recording thereof within the itted by law, either in the county court of Baltimore county, or in the county court of Har- unty, shall be good and available, the division aforesaid notwithstanding.

AND BE IT ENACTED, That the justices of Baltimore county shall be and they are hereby Justices to issue executions, &c. ered, upon application, to issue executions, or other legal process, upon all judgments had and d, or to be had and obtained, in Baltimore county court, against any inhabitant of Harford and to enforce the same, which said writs shall be directed to the sheriff of Harford county, said sheriff is hereby authorised and directed to serve and return the same to Baltimore coun- t, with the body or bodies of the person or persons, if taken, against whom such writ or writs ue for that purpose; and during the attendance of the sheriff of Harford county at Baltimore court, he shall have a power to confine in Baltimore county gaol, if he should think it neces- ch persons as he shall have in execution, but after his attendance shall be dispensed with by court, he shall then, in a reasonable time, remove such persons as he shall have in execution ford county gaol, there to be kept till legally discharged.

AND BE IT ENACTED, That the public and county levy now assessed or levied, or to be levied Levy, how to be applied. ssed by the justices of Baltimore county court at their levy court for the present year, shall y be collected and received by the sheriff of Baltimore county, as well of the taxable inha- of Harford as of Baltimore county, and collected, accounted for and applied, in such manner aid public and county levy would have been collected, accounted for and applied, had this act een made.

. AND BE IT ENACTED, That the several delegates for Baltimore county shall retain their Delegates to retain their seats, &c. nd that such of them as are residents in Baltimore county, after the division aforesaid, shall ned and taken as delegates for that county, and such of them as are residents in Harford coun- l be deemed and taken delegates for that county, and writs of election shall issue to make number of delegates wanted in either county, to complete the usual and common county re- ation.

. AND BE IT ENACTED, That the county court of Harford county shall begin, and be held When courts are to be held. on the fourth Tuesdays of those months in which other county courts are held, and shall have ower and jurisdiction with any county court in this province.

CHAP. VII.

Passed 23d of Dec. 1773.

An ACT for the amendment of the law. Lib. RG. fol. 242.

A Supplementary act October, 1778, ch. 22.

Persons under age, &c. in certain cases, shall convey, &c.

BE IT ENACTED, *by the right honourable the Lord Proprietary, by and with the advice and of his Governor, and the Upper and Lower Houses of Assembly, and the authority of the same*, That and after this session of assembly, persons under the age of one and twenty years, and persons idiot, lunatic, or *non compos mentis*, seized or possessed of any lands, tenements or hereditamen trust, or by way of mortgage, or seized or possessed thereof, charged or chargeable with the pay of money or tobacco, and therefore subject or liable to a decree for sale, or bound by an agree to convey, made by some person or persons having right or title to make such agreement, and fore subject or liable to a decree for conveyance on a suit for a specific performance or execut such agreement, shall, by direction of the court of chancery, signified by an order made upo hearing of all persons concerned, on the petition of the person or persons for whom such inf infants, or persons being idiot, lunatic, or *non compos mentis*, or his, her or their committee or mittees, in his, her or their name or names, shall be seized or possessed in trust, or of the mort or mortgagors, or other person or persons entitled to redemption, or person or persons entit money or tobacco secured by or upon the said lands, tenements or hereditaments, or of the per persons entitled to any money or tobacco, with the payment whereof the said lands, tenem hereditaments, are or shall be charged or chargeable, or of the person or persons entitled to a sp performance or execution of such agreement as aforesaid, convey and assure any such lands, ments or hereditaments, in such manner as the court of chancery shall, by such order so to be o ed, direct, to any other person or persons; and such conveyance or assurance, so to be had and as aforesaid, shall be as good and effectual in law as if such infant or infants were, at the t making such conveyance or assurance, of the full age of twenty-one years; (a) and the conve or assurance, so to be had and made as aforesaid, in the case of persons being idiot, lunatic, *compos mentis*, shall, in like manner, be as good and effectual as if the said person or persons were, at the time of making such conveyance or assurance, of sound mind, memory and under ing, and had by him, her or themselves, executed the same; and all and every such infant fants, or persons being idiot, lunatic, or *non compos mentis*, being trustee or trustees, mortga mortgagees, or being seized or possessed of lands, tenements or hereditaments, liable or subject manner aforesaid, or the committee or committees of all and every such persons, being idiot, tic, or *non compos mentis*, shall and may be compelled, by such order as aforesaid, to make suc veyance or conveyances, assurance or assurances, in like manner as persons of full age and o memory are compellable to make. (b)

(a) By 1778, ch. 22, such infants shall be bound by conveyances made by guardians, in pursuance of the order and of the court of chancery, and conveyances which had been so made are declared to be valid and effectual.

(b) By 1791, ch. 79, on application by any representative of a person deceased, who shall have contracted for the sale veyance of lands, &c. and not performed the same, and shall have devised or left them to descend to persons under age, &c. said representatives are immediately interested in having a specific performance, the chancellor may decree the same as in cases by this act.

Proviso.

II. PROVIDED ALWAYS, That no order or direction as aforesaid shall be made or given in virtu this act, in the case of any infant or infants seized or possessed of any lands, tenements or here ments, charged with or subject to the payment of money or tobacco, unless it shall appear, that guardian or guardians of such infant or infants hath or have consented thereunto, and also that infant or infants will not sustain any detriment, disadvantage or inconvenience, from such orde direction; and also, that upon every order or direction for conveyance to be made by an infant fants, for the specific performance and execution of any such agreement as aforesaid, liberty sh reserved for the said infant or infants to shew cause, within six months after he, she or they have attained the full age of twenty-one years, if such infant or infants shall attain such full age also for the heirs of such infant or infants, if such infant or infants shall not so long live, months after the decease of such infant or infants, if the said heirs shall then be of full age, such heirs shall not then be of full age, in six months after such heirs shall have attained his, their full age, why such conveyance ought not to have been ordered or directed, and on suc cause being shewn as aforesaid, the infant or infants aforesaid, or his or their heirs, shall be titled to and have a reconveyance, by order or decree of the said court, of the said lands, tenem or hereditaments, by whomsoever claimed or possessed, by, from or under the conveyance ma such infant or infants aforesaid, and also a full account of the rents and profits thereof, of and the person who shall have received the same.

III.

CHAP. VII.

Court, in certain cases, may direct a performance, &c.

AND BE IT FURTHER ENACTED, *by the authority aforesaid*, That if any suit, which shall be enced in the court of chancery, any defendant or defendants, against whom any subpœna or process shall issue, shall not cause his, her or their appearance to be entered upon such process, such time and in such manner as according to the rules of the court the same ought to have entered, in case such process had been duly served, and an affidavit or affidavits shall be made satisfaction of the court, that such defendant or defendants is or are out of this province, or upon inquiry at his, her or their usual place of abode, he, she or they, could not be found so as served with such process, and that there is just ground to believe that such defendant or defen- s or are gone out of this province, or otherwise abscond to avoid being served with the process id, then and in such case the said court may make an order, directing and appointing such ant or defendants to appear at a certain day therein to be named, and a copy of such order orthwith be inserted in the Maryland Gazette, and continued therein for six successive weeks, opy of such order shall be left, as soon as conveniently may be, at the usual place of abode of efendant or defendants, before his, her or their leaving this province or absconding as afore- nd also a copy of it shall be forthwith set up at the door of the court-house of the county n the defendant or defendants did last reside, before his, her or their absconding as aforesaid; the defendant or defendants do not appear within the time limitted by such order, or within rther time as the court shall appoint, then, on proof made of such publication of such order, urt, being satisfied of the truth thereof, may order the bill of the plaintiff or plaintiffs to be *ro confesso*, and make such decree thereupon as shall be thought just, and may thereupon issue to compel the performance of such decree, either by an immediate sequestration of the real rsonal estate and effects of the party or parties so absenting, (if any such can be found,) or such ereof as may be sufficient to satisfy the demands of the plaintiff or plaintiffs in the said suit, causing possession of the estate or effects demanded by the bill to be delivered to the plaintiff or s, or otherwise, as the nature of the case shall require; and the said court may likewise order aintiff or plaintiffs to be paid and satisfied his, her or their demands, out of the estate or ef- sequestered, according to the true intent and meaning of such decree, such plaintiff or plain- ff giving sufficient security, in such sum as the court shall think proper, to abide such order, g the restitution of such estate or effects as the court shall think proper to make concerning e, upon the appearance of the defendant or defendants to defend such suit, and paying such the plaintiff or plaintiffs as the court shall order.

Proviso.

PROVIDED ALWAYS, That if any decree shall be made in pursuance of this act against any or persons being out of this province, or absconding in manner aforesaid at the time such de- pronounced, and such person or persons shall, within two years after making such decree, re- become publicly visible, then and in such case he, she or they, shall likewise be served with a such decree, within a reasonable time after his, her or their return or public appearance known to the plaintiff or plaintiffs; and in case any defendant, against whom such decree made, shall, within two years after making such decree, happen to die before his or her re- o this province, or appearing openly as aforesaid, then his or her heir, if such defendant e any real estate sequestered, or whereof possession shall have been delivered to the plaintiff iffs, and such heir may be found, or if such heir shall be a *feme-covert*, infant, or *non compos* he husband, guardian or committee, of such heir respectively, or, if the personal estate of endant be sequestered, or possession thereof delivered to the plaintiff or plaintiffs, then his or utor or administrator, (if any such there be,) may and shall be served with a copy of such within a reasonable time after it shall be known to the plaintiff or plaintiffs that the defen- ead, and who is his or her heir, executor or administrator, or where he, she or they respec- served therewith; and if any person or persons, so served with a copy of such decree, within six months after such service, appear and petition to have the said cause reheard, ree, so made as aforesaid, shall stand absolutely confirmed against the person or persons so ith a copy thereof, his, her and their respective heirs, executors and administrators, and all claiming, or to claim, by, from or under him, her, them, or any of them, by virtue of any or to be done, subsequent to the commencement of such suit; and if any person, so served opy of such decree shall, within six months after such service, or if any person, not being so hall, within two years next after the making such decree, appear in court, and petition to with respect to the matter of such decree, and shall pay down, or give security for payment costs as the court shall think reasonable in that behalf, the person or persons so petitioning, or their respective representatives, or any person or persons claiming under him, her or pectively, by virtue of any act done before the commencement of the suit, may be admitted the bill exhibited, and issue may be joined, and witnesses on both sides examined, and such ceedings, decree and execution, may be had thereon, as there might have been in case the

CHAP. VII.

ſame party had originally appeared, and the proceedings had been newly begun, or as if no ſ
decree or proceedings had been in the ſame cauſe; and if any perſon or perſons againſt whom
decree ſhall be made, his, her or their heirs, executors or adminiſtrators, ſhall not, within two
next after making ſuch decree, appear and petition to have the cauſe reheard, and pay down, o
ſecurity for payment of ſuch coſts as the court ſhall think reaſonable in that behalf, ſuch d
made as aforeſaid, ſhall ſtand abſolutely confirmed againſt the perſon and perſons againſt whom
decree ſhall be made, his, her and their heirs, executors and adminiſtrators, and againſt all p
claiming, or to claim, by, from or under him, her or them, or any of them, by virtue of any ac
ſubſequent to the commencement of ſuch ſuit, and at the end of ſuch two years, it ſhall and m
lawful for the court to make ſuch further order as ſhall be juſt and reaſonable, according to th
cumſtances of the caſe.

Certificate to be lodged, &c.

V. AND BE IT ENACTED, *by the authority aforeſaid*, That upon appeal to his majeſty in c
from any judgment or decree which ſhall be rendered or given in the court of appeals of thi
vince, whereupon ſecurity ſhall be given for proſecuting ſuch appeal, in caſe the appellant
pellants ſhall not lodge in the ſaid court of appeals of this province a certificate of the clerk
majeſty's council, or other proper officer thereof, or other ſufficient proof, making it appear th
record of the judgment or decree appealed from had been lodged with or delivered unto the
of his majeſty's council, or other proper officer thereof, in twelve months after ſuch appeal ob
to his majeſty in council, then and in ſuch caſe the appeal bond of the appellant or appellant
of his, her or their ſureties therein, ſhall be liable to be put in ſuit for ſuch default, upon th
plication of the appellee or appellees for that purpoſe.

This ſection, and the one following, have ceaſed to have any operation ſince the adoption of the preſent conſtitution.

Proviſo.

VI. PROVIDED ALWAYS, That if the appellant or appellants aforeſaid ſhall, within the ſaid t
months, make appear or diſcloſe ſuch matters as may make it reaſonable to grant him, her or
a further time for lodging or delivering the record aforeſaid, in manner aforeſaid, then and in
caſe the court of appeals of this province may, on the application of the appellant or appellants,
to him, her or them, ſuch further time as to the ſaid court ſhall ſeem to be reaſonable upon th
cumſtances of ſuch caſe; and when a further time for the purpoſe aforeſaid, upon ſuch appli
as aforeſaid, ſhall be granted, in ſuch caſe the appeal bond aforeſaid ſhall not, in virtue of th
be liable to be put in ſuit, until the ſaid further time ſhall have expired, and the rule or or
the ſaid court of appeals of this province, granting ſuch further time, ſhall not have been perf
by the appellant or appellants.

A commiſſion may iſſue, &c.

VII. AND BE IT ENACTED, *by the authority aforeſaid*, That it ſhall and may be lawful fo
juſtices of the provincial court, or any county court, upon application made to them in co
any party or parties in or to any action or civil ſuit depending, or that ſhall be depending
them, and upon ſatisfaction being given to ſuch court, by affidavit or otherwiſe, that there ar
terial and competent witneſſes in ſuch cauſe reſiding or living out of this province, to dire
clerk of ſuch court to iſſue a commiſſion (a) for taking the depoſitions or affidavits of ſuch witneſſe
that ſuch commiſſion ſhall iſſue, and the commiſſioners ſhall be appointed and qualified, and ſu
terrogatories be propoſed or exhibited, and ſuch commiſſion be executed and returned, and th
poſitions or affidavits taken in purſuance thereof ſhall be publiſhed, in the ſame manner and fo
in the caſe of a commiſſion iſſuing out of the court of chancery for the examination of witneſſ
ſiding and living out of this province, and the depoſitions or affidavits which ſhall be duly ma
taken in virtue of any commiſſion which ſhall iſſue in purſuance of this act, or copies th
duly atteſted, ſhall be admitted in evidence at the trial of the cauſe.

(a) For the continuances of cauſes after the iſſuing of ſuch commiſſions, ſee November, 1787, ch. 9, and 1794, ch. 6.

Duration.

VIII. This act to continue for and during the term of ſeven years, and until the end of the
ſeſſion of aſſembly which ſhall happen thereafter.

Continued for ſeven years, &c. with its ſupplement, by May, 1781, ch. 29, for ſeven years, &c. (with its ſupplem
May, 1788, ch. 18, to 20th October, 1798, (ſubject to alterations made by other acts,) by 1796, ch. 64; it was alſo co
for ſeven years, &c. by November, 1797, ch. 51, and by 1798, ch. 71, (together with its ſupplement,) enacted into a
nent law.

CH

CHAP. VIII.

AN ACT to confirm a leaſe made by Thomas Harriſon, of Baltimore county, for part of a lot of land therein mentioned, to the commiſſioners of Baltimore-town, and their ſucceſſors. Lib. RG. fol. 247.

Paſſed 23d of Dec. 1773.

Preamble.

WHEREAS it is repreſented to this general aſſembly, that the inhabitants of the ſaid town have obtained a leaſe from a certain Thomas Harriſon to William Lyon, Nicholas Ruxton John Moale and Andrew Buchanan, to and in the name of a majority of the commiſſioners of id town, bearing date the fourth day of June, ſeventeen hundred and ſixty-three, for part of f land in the ſaid town, diſtinguiſhed in the plot thereof by the number ſeventy-one, for and the term of ninety-nine years, under the yearly rent of eight pounds ſterling money, with a nt therein contained on the part of the ſaid Thomas Harriſon, for the renewment of the aſe at the expiration of the ſaid term, and further renewable for ever, on which ſaid part of aforeſaid the ſaid inhabitants have built and erected a large and convenient building, cald for a market-houſe and other public uſes; and it is prayed, that an act of aſſembly may be for confirming the ſaid leaſe, and veſting the eſtate therein limitted in the commiſſioners of id town, and their ſucceſſors, for the uſe and benefit of the ſaid town;

Leaſe declared good, &c.

BE IT THEREFORE ENACTED, *by the right honourable the Lord Proprietary, by and with the advice nſent of his Governor, and the Upper and Lower Houſes of Aſſembly, and the authority of the ſame,* the ſaid leaſe, ſo made by the ſaid Thomas Harriſon, and every clauſe, matter and thing, n contained, ſhall be and hereby is declared good and ſufficient in law, and that the commiſs of Baltimore-town, and their ſucceſſors, ſhall and may hold, poſſeſs and enjoy, the ſaid d part of the lot of land aforeſaid, and the eſtate therein limitted, to and for the uſe and beof the ſaid town, in as full and ample manner as if they the ſaid commiſſioners had been legally tuted a body politic and corporate in deed and in name, with capacity to purchaſe.

CHAP. IX.

AN ACT for the relief of the poor in Anne-Arundel county. Lib. RG. fol. 248.

Preamble.

WHEREAS the truſtees for the poor of Anne-Arundel county have repreſented to this preſent general aſſembly, that they have contracted with workmen to erect an alms and work-houſe niſh the ſame on or before the firſt day of May next, and that the juſtices of Anne-Arundel y are prohibited by act of aſſembly from aſſeſſing or levying any tobacco or money for the ſupf ſuch poor as may be taken into ſaid houſe until the month of November, one thouſand ſeven ed and ſeventy-four, in conſequence whereof the ſaid houſe will ſtand idle and uſeleſs to the y, unleſs proviſion be made to defray the expence that muſt attend the taking in and ſupporting oor in ſaid houſe; all which facts appearing to be true, and that the ſaid work-houſe will probe finiſhed ſome time next ſummer;

Juſtices to levy tobacco, &c.

BE IT ENACTED, *by the right honourable the Lord Proprietary, by and with the advice and conſent Governor, and the Upper and Lower Houſes of Aſſembly, and the authority of the ſame,* That the es of Anne-Arundel county ſhall, and they are hereby required, at their laying of the county le the preſent year, to aſſeſs and levy on the taxable inhabitants of Anne-Arundel county a ſum xceeding ten pounds of tobacco per poll, together with the ſheriff's ſalary of five *per cent.* for ting the ſame, which ſaid aſſeſſment, ſo as aforeſaid to be made and levied, ſhall be collected nſuing year, by the ſheriff of ſaid county, from the taxable inhabitants of ſaid county, in the manner as public and county levies are collected, and paid to the truſtees of the poor for ſaid y, to defray the expence of taking in and ſupporting the poor in ſaid houſe.

May be paid in money.

. AND BE IT FURTHER ENACTED, That the taxable inhabitants of ſaid county ſhall be and they ereby enabled to pay the tobacco ſo aſſeſſed in money, at the ſame rates and in the ſame man s other public and county levies are paid, any thing herein contained to the contrary notwithing.

CHAP. X.

Paſſed 23d of Dec. 1773.

An ACT for the diviſion of Dorcheſter and Queen-Anne's count and for erecting a new one by the name of Caroline. Lib. P fol. 249.

Preamble.

WHEREAS a conſiderable body of the inhabitants of Dorcheſter and Queen-Anne's coun by their petition to this general aſſembly, have prayed, that an act may be paſſed for a ſion of the ſaid counties, and for erecting a new one out of parts thereof: And whereas it ap to this general aſſembly, that the erecting of a new county out of ſuch parts of Dorcheſter Queen-Anne's counties will conduce greatly to the eaſe and convenience of the people thereof;

A new county erected, &c.

II. BE IT THEREFORE ENACTED, *by the right honourable the Lord Proprietary, by and with the a and conſent of his Governor, and the Upper and Lower Houſes of Aſſembly, and the authority of the* That after the Monday after the ſecond Tueſday in March next, ſuch parts of the aforeſaid counties of Dorcheſter and Queen-Anne's as are contained within the bounds and limits follow to wit: Beginning at a point on the north ſide of the mouth of Hunting creek, in Dorcheſter cou and from thence running up and with the ſaid creek to the main road at James Murray's mill, th with that road by Saint-Mary's White Chapel pariſh church to the north-weſt fork bridge, thence the main road (that leads to Cannon's ferry) to Nanticoke river, thence with the ſaid river to with the exterior limits of the aforeſaid county of Dorcheſter to the exterior limits of Queen-An county, thence with the limits of Queen-Anne's county to interſect the main road that leads the Beaver-dam cauſeway to Dover-town, in Kent county, upon Delaware, thence with the road to the Long marſh, thence with the ſaid marſh and ſtream of the branch of Tuckahoe cree Tuckahoe bridge, thence with the ſaid creek to Great Choptank river, and with the ſaid river to firſt beginning at the mouth of Hunting creek, ſhall be and is hereby erected into a new county the name of Caroline county.

Inhabitants to enjoy rights.

III. AND BE IT ENACTED, That the inhabitants of Caroline county aforeſaid ſhall have, and enjoy, all ſuch rights and privileges as are held and enjoyed by the inhabitants of any count this province.

Commiſſioners appointed, &c.

IV. AND BE IT ENACTED, That Mr. William Haſkins, Mr. Richard Maſon, Mr. Joſhua Cl Mr. John White, Mr. Henry Dickenſon, Mr. William Keene and Mr. Thomas Goldſborough, be and are hereby appointed commiſſioners for Caroline county aforeſaid, and they, or the major of them, ſhall be and they are hereby authoriſed and required to buy and purchaſe, in fee, a quan of land, not exceeding four acres of land, at or adjoining Pig Point, (a) on the eaſt ſide of C tank river, below Melvin's warehouſe, for the purpoſe of building thereon a court-houſe and pr for the ſaid county, and ſhall cauſe the ſaid land to be laid out by the ſurveyor of Dorcheſter cou with good and ſufficient boundaries, and a certificate thereof to be returned and recorded in the cords of the ſaid county; and the ſaid commiſſioners, or the major part of them, ſhall draw their der on the ſheriff of Caroline county, to pay ſuch ſum as ſhall be agreed upon for the ſaid land, the ſheriff is hereby directed and required to pay the ſaid order out of the money hereafter menti ed, to be collected by him for that purpoſe; and ſuch payment for the land aforeſaid, ſhall inveſt juſtices of Caroline county, and their ſucceſſors, with an eſtate in fee-ſimple therein, for the uſe the ſaid county, for ever; and if the ſaid commiſſioners, or the major part of them, and the owner the ſaid land, ſhould differ about the value of the ſaid land, in ſuch caſe the commiſſioners, or major part of them, ſhall be and they are hereby authoriſed and empowered to order the ſheriff Dorcheſter county to ſummon twelve freeholders upon the ſaid land, who ſhall be empannelled ſworn as a jury to inquire the value of the ſaid land; and the ſaid commiſſioners, or the major p of them, ſhall draw their order upon the ſheriff of Caroline county to pay the ſaid valuation, the ſaid ſheriff is hereby directed to pay the ſaid order, out of the money hereafter mentioned, to by him collected for that purpoſe, and upon his payment of the ſaid order, the fee-ſimple in the land ſhall be inveſted, as aforeſaid, in the juſtices of Caroline county, and their ſucceſſors, for uſe of the ſaid county, for ever.

(a) So much of this act as directed the building a court-houſe and gaol at Pig Point, or Eden-town, and appropriated pr there for ſuch buildings, was repealed by 1785, ch. 31.

Juſtices to contract, &c.

V. AND BE IT ENACTED, That the juſtices of Caroline county, or the major part of them, hereby authoriſed to contract and agree for a convenient place in the ſaid county to hold the co for the ſaid county, and to contract and agree for a convenient place in the ſaid county for t books, papers, and other records, and alſo for a fit building for the cuſtody of priſoners; and

urts shall be held, and records kept, at such places respectively, until the court-house and for the said county shall be erected and built, and the charge and expence of such places shall rayed by the said county, and assessed with the public and county levy.

AND BE IT ENACTED, That the justices of Caroline county shall be and they are hereby au- ed and required to assess and levy on the taxable inhabitants of the said county, with the coun- public levy, as much tobacco as will pay for the purchase or valuation of the land aforesaid, er with the sheriff's salary of five *per centum* for collection; which said quantity of tobacco e collected by the sheriff of the said county, in the same manner as other public and county are by law collected, and the said tobacco, when collected, shall be paid by the said sheriff to erson or persons as the commissioners aforesaid, or the major part of them, shall order and

Tobacco to be levied in Caroline.

AND, whereas the taxable inhabitants in that part of Dorchester county erected into Caro- unty have paid seventy thousand pounds of tobacco towards the building of the court-house in idge, in Dorchester county; and, forasmuch as justice requires, that the said seventy thousand of tobacco should be refunded, and applied towards the building the court-house and prison be erected in Caroline county; BE IT THEREFORE ENACTED, That the justices of Dorchester shall be and they are hereby authorised and required to assess and levy, with their public and levy, by two equal assessments, the next year and the year afterwards, the quantity of seven- sand pounds of tobacco upon the taxable inhabitants of Dorchester county, together with the s salary of five *per centum* for collection, which said quantity of tobacco, so to be assessed and shall be collected by the sheriff of Dorchester from the taxable inhabitants thereof, in the anner as other public and county levies are by law collected, and the said tobacco, when col- shall be paid by the said sheriff to the commissioners aforesaid, and shall be by them applied s building the court-house and prison in Caroline county aforesaid.

And in Dorchester county.

I. AND BE IT ENACTED, That the justices of Caroline county shall be and they are hereby ised and required to assess and levy, with the public and county levy, by three equal assess- the next year and the two succeeding years, the quantity of two hundred thousand pounds of , together with the sheriff's salary of five *per centum* for collection, which said tobacco, so to ed and levied, shall be collected by the sheriff of Caroline county from the taxable inhabitants aid county, in the same manner as other public and county levies are by law collected, which acco, when collected, shall be paid by the said sheriff to the commissioners aforesaid, and ap- y them towards building the court-house and prison aforesaid for the said county.

Justices to levy tobacco, &c.

AND, whereas the aforesaid quantity of seventy thousand pounds of tobacco, to be refunded said, and applied as aforesaid, was levied and assessed upon the taxable inhabitants only of rt of Dorchester county now included in Caroline county: And whereas justice requires that able inhabitants of that part of Queen-Anne's county, now included in Caroline county, e taxed proportionably, BE IT ENACTED, That the justices of Caroline county shall be and e hereby authorised and empowered, to order and direct the constables of the several hundreds part of Queen-Anne's county now included in Caroline county, to make out a list of the tax- abitants of the said part of Caroline county, and to return the same to their next levy court, order the constables of the several hundreds in that part of Dorchester county now included line county, to make out a list of the taxable inhabitants in that part of Caroline county, and n the same at their said court, and from the said lists the said justices are hereby empowered uired to fix and ascertain what quantity or proportion of tobacco the taxable inhabitants of rt of Queen-Anne's county, now included in Caroline county, ought to be taxed, to make up l contribution with the taxable inhabitants of that part of Dorchester county, now included in e county, and which said quantity of tobacco the said justices shall be and they are hereby em- d to levy and assess, by three equal assessments, with their public and county levy, the next year two years succeeding, on the taxable inhabitants of that part of Queen-Anne's county now d in Caroline county, the said quantity of tobacco, ascertained as aforesaid to be an equal pro- as aforesaid, together with five *per cent.* to the sheriff for collection, which said quantity of so assessed and levied, shall be collected by the sheriff of Caroline county of the taxable in- ts of the said part of Caroline county, in the same manner as other public and county levies aw collected, and the said tobacco, when collected, shall be paid by the said sheriff to the oners aforesaid, and applied by them towards building the court-house and prison in the aforesaid.

List to be made out, &c.

X. AND

CHAP. X. Commiſſioners to contract, &c.

X. AND BE IT ENACTED, That the commiſſioners aforeſaid, or the major part of them, ſh and they are hereby authoriſed and required to contract and agree for the building of the ſaid houſe and priſon, which ſaid court-houſe and priſon ſhall be built and erected on the land to b chaſed as aforeſaid; and the ſaid place, after the commencement of this act, ſhall be called town. (a)

(a) See the note under the fourth ſection.

Cauſes, &c. may be proſecuted.

XI. AND BE IT ENACTED, That all cauſes, pleas, proceſs and pleadings, which now are o be depending in Dorcheſter and Queen-Anne's county courts before the Monday after the Tueſday in March, ſhall and may be proſecuted as effectually as they might have been had th never been made.

Juſtices to iſſue executions, &c.

XII. AND BE IT ENACTED, That the juſtices of Dorcheſter and Queen-Anne's counties ſh and they are hereby reſpectively empowered, upon application, to iſſue executions, or other legaceſs, upon all judgments had and obtained, or to be had and obtained, in Dorcheſter or Queen-A county courts, againſt any inhabitant of Caroline county, and to enforce the ſame, which ſaid ſhall be directed to the ſheriff of Caroline county; and the ſaid ſheriff is hereby authoriſed a rected to ſerve and return the ſame to Dorcheſter and Queen-Anne's county courts reſpectively the body or bodies of the perſon or perſons, if taken, againſt whom ſuch writ or writs ſhall iſ that purpoſe; and during the attendance of the ſheriff of Caroline county at Dorcheſter or Anne's county courts, he ſhall have a power to confine in Dorcheſter or Queen-Anne's count reſpectively, if he ſhould think it neceſſary, ſuch perſons as he ſhall have in execution, but af attendance ſhall be diſpenſed with by the ſaid courts reſpectively, he ſhall then, in a reaſonable remove ſuch perſons as he ſhall have in execution to Caroline county gaol, there to be kept gally diſcharged.

Deeds, &c. good, &c.

XIII. AND BE IT ENACTED, That in caſe any deeds or conveyances of lands or chattels i part of Queen-Anne's county now included in Caroline county, have been, or ſhall be before viſion aforeſaid, acknowledged according to law in Queen-Anne's county, the enrolment or ing thereof within the time limitted by law, either in the county court of Queen-Anne's or the ty court of Caroline, ſhall be good and available, the diviſion aforeſaid notwithſtanding; and any deeds or conveyances of lands or chattels in that part of Dorcheſter county now included roline county, have been, or ſhall be before the diviſion aforeſaid, acknowledged according to Dorcheſter county, the enrolment or recording thereof within the time limitted by law, either county court of Dorcheſter, or in the county court of Caroline, ſhall be good and available i the diviſion aforeſaid notwithſtanding.

Levy to be collected in Dorcheſter.

XIV. AND BE IT ENACTED, That the public and county levy now aſſeſſed or levied, o levied and aſſeſſed, by the juſtices of Dorcheſter county court, at their levy court for the p year, ſhall and may be collected and received by the ſheriff of Dorcheſter county, as well of th able inhabitants of that part of Dorcheſter county which is included in Caroline county, as o cheſter county, and collected, accounted for and applied, in ſuch manner as the ſaid public and ty levy would have been collected, accounted for and applied, had this act never been made.

And in Queen-Anne's county.

XV. AND BE IT ENACTED, That the public and county levy now aſſeſſed or levied, o levied and aſſeſſed, by the juſtices of Queen-Anne's county court, at their levy court for the p year, ſhall and may be collected and received by the ſheriff of Queen-Anne's county, as well taxable inabitants of that part of Queen-Anne's county which is included in Caroline county, Queen-Anne's county, and collected, accounted for and applied, in ſuch manner as the ſaid and county levy would have been collected, accounted for and applied, had this act never been

Delegates to retain their ſeats.

XVI. AND BE IT ENACTED, That the ſeveral delegates for Dorcheſter county ſhall retai ſeats, and that ſuch of them as are reſidents in Dorcheſter county, after the diviſion aforeſaid be deemed and taken as delegates for that county, and ſuch of them as are reſidents in C county, ſhall be deemed and taken delegates for that county, and writs of election ſhall iſſue t up the number of delegates wanted in either county, to complete the uſual and common cou preſentation.

When courts are to be held.

XVII. AND BE IT ENACTED, That the county court of Caroline county ſhall begin and be h the third Tueſdays of the ſame months in which other county courts of this province are held, and ſhall have equal power and juriſdiction with any county court in this province.

CH

CHAP. XI.

ACT for the ſale of lands late the property of Caleb Dorſey, of Anne-Arundel county, de- Paſſed 23d of Dec. 1773.
ſed, for payment of legacies. Lib. RG. fol. 255. A Private Act.

CHAP. XII.

ACT continuing an act, entitled, (a) An act to remedy ſome evils relating to ſervants. Lib.
. fol. 257.

(a) 1750, ch. 5, continued for ſeven years, &c.

CHAP. XIII.

ACT continuing an act, entitled, (b) An act for the ſpeedy recovery of ſmall debts out of court
re one juſtice of the peace. Lib. RG. fol. 257.

(b) 1763, ch. 21, continued for ſeven years, &c. Both repealed by June, 1777, ch. 12.

CHAP. XIV.

ACT continuing an act, entitled, (c) An act for impoſing an additional duty of two pounds per
on all negroes imported into this province. Lib. RG. fol. 258.

(c) 1763, ch. 28, continued for ſeven years, &c. Expired.

CHAP. XV.

ACT continuing an act, entitled, (d) An act for the gauge of barrels of pork, beef, pitch, tar,
entine, and tare of barrels of flour or bread. Lib. RG. fol. 258.

(d) 1745, ch. 15, continued for ſeven years, &c.

CHAP. XVI.

ACT continuing an act, entitled, (e) An act to eſtabliſh a market in Frederick-town, in Frede-
k county, and for the regulation of the ſaid market. Lib. RG. fol. 259.

(e) November, 1770, ch. 4, continued for ſeven years, &c.

CHAP. XVII.

ACT continuing an act, entitled, (f) An act for relieving the inhabitants of this province from
e aggrievances in the proſecution of ſuits at law, and the ſupplementary act thereto. Lib.
. fol. 259.

(f) 1714, ch. 4, and 1728, ch. 24, continued for twenty-one years, &c. Expired.

CHAP. XVIII.

ACT for the relief of the poor in Saint-Mary's county. Lib. RG. fol. 260.

WHEREAS the neceſſity, number and continual increaſe, of the poor within ſaid county is very great, and exceedingly burthenſome, which might be greatly leſſened by a due regula- Preamble.
and employment of them;

I. BE IT THEREFORE ENACTED, *by the right honourable the Lord Proprietary, by and with the advice and conſent of his Governor, and the Upper and Lower Houſes of Aſſembly, and the authority of the ſame,* that there ſhall be an alms and work-houſe erected, built and ſet up, in Saint-Mary's county, at a convenient place therein, at the general charge and expence of the county of Saint-Mary's; and that the juſtices of the ſaid county court for the time being, ſhall and they are hereby authoriſed and empowered to aſſeſs and levy on the taxable inhabitants of ſaid county, at the time of laying their county levy, a quantity, not exceeding fifteen pounds of tobacco by the poll on each and every the taxable inhabitants of their ſaid county, in each of the years of our Lord ſeventeen hundred and ſeventy-three, ſeventeen hundred and ſeventy-four and ſeventeen hundred and ſeventy-five, together with the ſheriff's ſalary of five *per cent.* for collecting the ſame; which ſaid aſſeſſments, ſo as aforeſaid to be made and levied, ſhall be collected by the ſheriff of the ſaid county from the ſeveral taxable perſons who ſhall reſide within the ſame, in the ſame manner as the public and county levies are collected; and the ſaid tobacco, when ſo as aforeſaid collected, ſhall be paid by ſuch ſheriff to ſuch perſons for the poor, or the major part of them, as are by this act appointed, who are hereby authoriſed and required to receive and apply the ſame to the uſes and purpoſes herein after directed. An alms and work-houſe to be erected, &c.

II. PROVIDED ALWAYS, AND BE IT ENACTED, That it ſhall and may be lawful for the ſeveral reſpective taxable inhabitants within the ſaid county, to pay and diſcharge the ſaid ſeveral aſſeſſments in money, in the ſame manner as they are enabled to pay and diſcharge the public or county levy. Proviſo.

CHAP. XVIII.

Trustees appointed, &c.

IV. AND BE IT FURTHER ENACTED, That for the time being the five several persons h named, be and are hereby nominated, appointed and named, trustees for the poor within county, and are empowered with full and sufficient authority to discharge the several offices and trusts reposed in and required of them by this act; that is to say, colonel George colonel Abraham Barnes, major Zachariah Bond, Mr. John Reeder and Mr. James the which persons, so nominated, appointed, authorised and named, for the county a said, or the major part of them in case of the death or absence of any, are hereby re with all convenient speed, to meet at such places within their county as to them sha meet, to qualify themselves for the office of trustees for the poor of their county, they are to do by taking the several oaths appointed by law to be taken to the gover signing the oath of abjuration, and repeating and signing the test, and also taking the ing oath, to wit: "I, A. B. do swear, that I will duly and faithfully discharge the dut "trusts committed to me as a trustee for the poor for Saint-Mary's county, according to the "my skill and knowledge, and an act of assembly, entitled, An act for the relief of the "Saint-Mary's county; so help me GOD;" the which oath is to be administered by any of t persons last named for the county to the person first named, or, in his absence, to any one three persons first named that shall be there present, the which person, being sworn as aforesai administer the oaths afore-mentioned to all the rest, and so successively, the person first named th be present shall always administer the said oaths to any that have been absent, or that shall he be elected and chosen pursuant to the directions of this act to supply the place of any that dead, or removed out of the county, or of any who shall refuse or neglect to qualify and trustee, when elected and chosen pursuant to the directions of this act; and the aforesaid p or the major part of them, being sworn as aforesaid, shall be constituted and qualified as trust the poor of their said county, and, as such, are hereby invested with full power and authorit body politic, to plead and be impleaded, to sue and be sued, to defend and be defended, to and be answered, by the name of The Trustees for the Poor for Saint-Mary's county, in every cause, complaint and action, real, personal or mixt, of whatsoever kind or nature it shall any of the courts of judicature within this province, and by that name they, and any of the their successors, shall and they are hereby enabled to take, hold, possess and enjoy, any gift, d or present, which shall or may hereafter be given, devised or bequeathed, by any person or whatsoever, to them, or any of them, for or towards the support and maintenance of the poor said county; and they, or any of them, may receive, by way of subscription, any sum or money which shall or may be given for the better and more speedy promoting the benefit and g this act intended; and that they have full power, authority, lawful capacity and ability, to pu take, hold, receive, enjoy and have, to them and their successors for ever, any lands, ten and hereditaments, not exceeding the yearly value of one thousand pounds sterling, of any pe persons whatsoever, and are hereby empowered and authorised to use one common seal in the ness relating to the said corporation, and the same, if necessary, to change and alter; and t said persons so incorporated, the longest livers and successors of them, shall be the true, s undoubted trustees, in perpetual succession for ever, to be continued in way and manner he specified, with full and absolute power, liberty and authority, in the making and ordaining suc orders and rules, for the better relieving, regulating and setting the poor to work, and pu vagrants, beggars, vagabonds and other offenders, and for the good government of the sai and work-house in their said county, as to them and their successors shall, from time to time most fit and requisite, all which shall be observed by the overseer of such alms and work-hou by all poor, beggars, vagrants, vagabonds and other offenders, in such alms and work-house, the penalties therein contained; provided always, that the said rules, laws and orders, be n contrary to the laws of this province.

How vacancies are to be filled.

V. AND, to perpetuate the succession of the afore-mentioned number of five trustees for th in the said county, BE IT ENACTED, That as often as any one of the said trustees for the poo die, remove himself out of the county, refuse to qualify himself by taking the oaths aforesa become incapable of acting, the trustees for the time being, then surviving and remaining wit said county, or the major part of them, are hereby authorised and required to elect, nomina choose, one of the principal and better sort of the inhabitants of the county, into the pla room of such trustee, and so to fill up the full number of trustees for each alms and work-hou which persons, so elected and chosen, from time to time, are always to be qualified in the sam ner as before by this act is directed.

Penalty for refusing to act.

VI. AND BE IT FURTHER ENACTED, That every person by this act appointed as a trustee poor, or that shall hereafter be nominated and appointed as such pursuant to the directions

who shall wilfully refuse or delay to take upon him the said office, shall forfeit and pay, for every refusal or delay, the sum of ten pounds current money; provided, that no member of the upper house of assembly, clergyman, attorney, or practising physician, be obliged to accept of the of trustee aforesaid, or forfeit as aforesaid for refusing to accept and take upon him the same; that no provincial or county magistrate or sheriff, or any one who hath not the qualification to member of the lower house of assembly, if elected, shall be capable to be chosen or act as a aforesaid, nor shall any person be compellable to serve in less than three years after he hath or paid the said forfeiture for not serving as a trustee aforesaid.

Trustees to draw, &c.

II. AND, for enabling the said trustees to purchase land, and erect an alms and work-house in said county, BE IT ENACTED, That the said trustees, or the major part of them, be, and they hereby authorised and empowered, from time to time as occasion shall require, to draw upon the of Saint-Mary's county, in whose hands the tobacco aforesaid, so as aforesaid to be assessed and or such part thereof as shall, by virtue of this act, be so assessed and levied, shall remain, for of the said tobacco as the said trustees, or the major part of them, shall from time to time necessary to draw for the uses and purposes directed by this act.

To purchase land, &c.

III. AND BE IT FURTHER ENACTED, That the said trustees, or the major part of them, appointed aforesaid, shall, and they are hereby authorised, directed and required, to buy and purchase, in quantity of land in the said county, not exceeding one hundred acres; and the said trustees, or major part of them, appointed as aforesaid, are hereby authorised, directed and required, to and contract with a workman or workmen to undertake, erect, build, and in a workmanlike to complete and finish, on the said land, when so purchased, good, strong, sufficient and con- houses, habitations and dwellings, for the reception of the poor of said county, and of such beggars, vagabonds and other offenders, as shall be committed by virtue of this act; and shall appropriate one part thereof, to be called the Alms-house, to and for the reception and of the poor of the said county, and another part or parts thereof, to be called the Work- to and for the reception and lodging of all such vagrants, beggars, vagabonds and other of- as shall be committed by virtue of this act; and the aforesaid land when bought, and the said houses, habitations and dwellings, when built, shall be, and they are hereby enacted and to be, vested in the said trustees, as their estate and inheritance, for the uses and purposes act directed and expressed.

And buy beds, &c.

IV. AND BE IT FURTHER ENACTED, That the said trustees, or the major part of them, appointed aforesaid, shall and they are hereby authorised, directed and required, after the houses, habitations dwellings aforesaid shall be completely erected and finished, to buy and purchase, for the use and ment of the poor, vagrants, beggars, vagabonds and other offenders, who shall be committed by of this act, sufficient beds, bedding, working tools, kitchen utensils, cows, horses, and other ne- ; and the said trustees are hereby directed and required to purchase the said quantity of land, ceeding one hundred acres, as near and convenient as may be to Leonard-town in said coun- and the said trustees are hereby obliged, directed and required, to keep a fair, distinct and clear , in writing, of all the monies by them expended and paid by virtue of this act, and to re- true copy thereof, and shew and produce the vouchers to support the same, to the justices of said county, at their November court, to be by the said justices inspected and examined.

Justices to levy tobacco, &c.

V. AND BE IT FURTHER ENACTED, That after the expiration of the said three years, the justices Saint-Mary's county court aforesaid for the time being, shall and they are hereby empowered to and levy on the taxable inhabitants of the said county, at the time of laying their county le- quantity of tobacco, not exceeding fifteen pounds by the poll, on each and every of the tax- inhabitants in the said county, together with the sheriff's salary of five *per cent.* for collecting me, which said assessment shall be made, levied, collected and paid, in the same manner as here- ore by this act is directed; which said tobacco, when so as aforesaid collected, shall be paid by eriff to the order of such trustees, or the major part of them, under their common seal, who ereby authorised and required to receive and apply the same to and for the use, benefit and , of maintaining the poor, vagrants, beggars, vagabonds and other offenders, in the purchasing ons and other necessaries for use and labour, in paying a doctor for his salary and medicines, oviding men and women servants, to be under the management and direction of an overseer of lms and work-house, hereafter to be appointed, and in purchasing materials for the use and em- ent of all the poor, and all beggars, vagrants, vagabonds and other offenders, who shall be able , and who shall be committed by virtue of this act.

CHAP. XVIII.

Truſtees to meet, &c.

XI. AND BE IT FURTHER ENACTED, That the ſaid truſtees, or the major part of them, ſh they are hereby authoriſed, obliged, directed and enjoined, to meet together on the firſt Mon May yearly, and at all ſuch other times as they ſhall judge neceſſary, at the alms and work in ſaid county, during the continuance of this act, to appoint a fit perſon to be overſeer of th and work-houſe in the ſaid county, and other proper officers and ſervants as to them ſhall neceſſary, for carrying on the buſineſs of the ſaid corporation; and they, or the major part of ſhall and may agree, and they are hereby empowered to pay the ſaid overſeer, as a ſalary, out tobacco and money raiſed and collected as aforeſaid, a ſum not exceeding eighty pounds curre ney *per annum*, and ſo *pro rato*, during his continuance in office, and ſhall then take, and t overſeer, and every other overſeer to be appointed, ſhall, and he is hereby obliged to enter bond, with ſufficient ſureties, in the penalty of two hundred pounds current money, payable ſaid truſtees for the poor, conditioned as follows, to wit: "The condition of the above obl "is ſuch, that if the above bound A. B. as overſeer of the alms and work-houſe in Saint- "county, ſhall well and truly diſcharge his duty in the ſaid ſtation, and more particularly acc "to the directions of the act of aſſembly, entitled, An act for the relief of the poor in Saint- "county, then the above obligation to be void, otherwiſe to remain in full force and vi "law."

May remove the overſeer, &c.

XII. AND BE IT FURTHER ENACTED, That the ſaid truſtees, or the major part of them, ſha they are hereby directed and empowered to remove ſuch overſeer, and all other officers b to be appointed in purſuance of this act, at their diſcretion, and to chooſe others in thei and ſtead.

And meet four times a year, &c.

XIII. AND BE IT FURTHER ENACTED, That the ſaid truſtees, or the major part of them and they are hereby directed and enjoined to meet at the alms and work-houſe in ſaid four times in the year, in the firſt week of February, May, Auguſt and November, or o if it ſhould by them be deemed neceſſary, to make and ordain, by a majority of votes o as may be preſent, all ſuch good and wholeſome ordinances, rules and by-laws, as the think convenient and neceſſary for the direction, government and ſupport, of ſuch alms and houſe, and alſo for the maintenance and employment of all ſuch poor perſons as ſhall be taken their care, and of all vagrants, beggars, vagabonds and other offenders, that ſhall be com thereto by virtue of this act; all which ordinances, rules and by-laws, ſhall be from time to t violably obſerved by all perſons concerned, according to the tenor and effect thereof.

Overſeer to keep a liſt, &c.

XIV. AND BE IT FURTHER ENACTED, That the ſaid overſeer ſhall keep a fair and reg of all poor, beggars, vagrants, vagabonds and other offenders, who ſhall be committed to t alms and work-houſe and alſo fair and regular accounts, in writing, of all materials and other coming to his hands, as overſeer aforeſaid, and of all expences and charges attending their maint and ſupport, and of all monies received by him for the ſale of the produce of their labo otherwiſe as overſeer aforeſaid, and ſhall lay the ſaid liſts and accounts before the truſtees, or jor part of them, at their meetings at the times by this act directed, or oftener, if by required.

And compel the poor to work, &c.

XV. AND BE IT FURTHER ENACTED, That the ſaid overſeer may compel and oblige any ſaid poor, beggars, vagrants and vagabonds, or other offenders, in his reſpective alms and houſe, if of ſufficient ability to work, to labour and work, and the produce of their labo hereby directed and empowered to ſell, and apply the money ariſing from ſuch ſale to their nance and ſupport.

Diſorderly perſons may be committed, &c.

XVI. AND BE IT FURTHER ENACTED, That upon complaint made, that any perſon, from her diſorderly conduct, gives diſturbance to his or her neighbourhood, and is likely to become able to the ſaid county, it ſhall and may be lawful for any one magiſtrate of the ſaid county, hearing the party he ſhall adjudge the complaint to be well founded, to commit ſuch diſorderly reſiding within the ſaid county, to the ſaid work-houſe, for any time not exceeding three unleſs he or ſhe ſhall find ſecurity, at the diſcretion of the magiſtrate aforeſaid, in any ſum ceeding twenty pounds current money, for his or her good behaviour, and more orderly dem during the ſpace of ſix months; and alſo upon complaint and due proof made, by any one tru the poor, or the overſeer of ſaid alms and work-houſe, to any one magiſtrate of the ſaid that any perſon in the ſaid work-houſe hath behaved and demeaned him or herſelf in a diſ manner, or hath refuſed or neglected to do and perform his or her daily labour and taſk, o refuſed or neglected to obey, keep and obſerve, any of the ordinances, ruſes and by-laws of t corpo

poration, to order and direct ſuch moderate and proper correction, not exceeding thirty-nine laſhes any one offence, to be given to ſuch offender, as the nature of the caſe ſhall require. CHAP. XVIII.

Truſtees to direct, &c.

XVII. AND BE IT FURTHER ENACTED, That it ſhall and may be lawful to and for any of the ſaid ſtees to direct and appoint, under their hand, in writing, what poor ſhall be received into ſuch s and work-houſe; and it ſhall and may be lawful for any one juſtice of the peace for the ſaid nty, and for any perſon authoriſed and appointed by ſuch juſtice, to apprehend, or cauſe to be rehended, and committed to the ſaid work-houſe, any rogues, vagrants, vagabonds, beggars, other idle, diſſolute and diſorderly perſons, found loitering or reſiding in the ſaid county, follow no labour, trade, occupation or buſineſs, and have no viſible means of ſubſiſtence where- to acquire an honeſt livelihood, there to be kept at hard labour for any term not exceeding three nths; and the overſeer of ſuch alms and work-houſe is hereby required to receive any poor, ap- nted as aforeſaid to be received, and any rogue, vagrant, vagabond, beggar, and other idle, diſ- te and diſorderly perſons, ſo as aforeſaid committed, and employ them according to the tenor of commitment.

Perſons received to wear a badge, &c.

VIII. AND BE IT FURTHER ENACTED, That every perſon who ſhall be received into the ſaid alms work-houſe and there receive relief, ſhall, upon the ſhoulder of the right ſleeve of the uppermoſt ment of every ſuch perſon, in an open and viſible manner, wear ſuch badge or mark as is herein r mentioned and expreſſed; that is to ſay, a large Roman P, together with the firſt letter of the e of Saint-Mary's county, cut either in red or blue cloth, as by the overſeer of the poor ſhall directed and appointed; and if ſuch poor perſon ſhall neglect or refuſe to wear ſuch badge or mark aforeſaid, and in manner as aforeſaid, it ſha'l and may be lawful for any one of the truſtees afore- , to puniſh every ſuch offender for every ſuch offence, either by ordering his or her relief or allowance to be abridged, ſuſpended or withdrawn, or otherwiſe by ordering ſuch offender to be pt, not exceeding twenty laſhes, and kept to hard labour for any number of days not exceeding nty-one, as to the ſaid truſtee, ſhall ſeem meet; and if any overſeer of the poor ſhall receive the ſaid alms and work-houſe, or ſhall relieve any ſuch perſon, not having and wearing ſuch badge ark as aforeſaid, and be thereof convicted upon the oath of one or more credible witneſs or wit- es, ſhall forfeit and pay the ſum of five pounds current money.

Penalty on keeping booth, &c.

IX. AND BE IT FURTHER ENACTED, That whoſoever ſhall preſume either to ſet up a booth or other convenience, for the ſelling of ſtrong liquors, on the land purchaſed for the uſe of the alms or work-houſe, or ſhall commit any kind of treſpaſs thereon, or ſhall ſell or diſpoſe of any g liquor, or other matter or thing whatſoever, to any poor, or other perſon entertained in lms and work-houſe, ſhall, for every ſuch offence, forfeit and pay the ſum of ten pounds ent money.

Penalties, &c. how to be recovered, &c.

X. AND BE IT FURTHER ENACTED, That all and every the pains, penalties and forfeitures, in before by this act directed and inflicted, ſhall and may be recovered in the county court of county, by action of debt, founded on this act, or indictment, wherein no eſſoin, protection wager of law, or more than one imparlance, ſhall be allowed, any thing in this act herein before tained to the contrary thereof in anywiſe notwithſtanding, one moiety to the informer, the r moiety to the uſe of the alms and work-houſe of ſaid county; in which actions of debt it l be ſufficient for the plaintiff to allege, that the defendant or defendants are indebted to the ntiff the ſums of money or tobacco by this act directed and inflicted, whereby the plaintiff's action rued to him, according to the form of this act of aſſembly, without ſetting forth the ſpecial ter; provided a ſhort note, expreſſing the cauſe of action, be lodged in the office at the time of ng the writ.

Sheriffs, &c. to aid truſtees.

XI. AND BE IT FURTHER ENACTED, That all ſheriffs, bailiffs, conſtables, and all other officers miniſters of juſtice, ſhall be aiding and aſſiſting to the ſaid truſtees for the poor in the ſaid nty, and to all ſuch officers as ſhall be employed by them, as by this act is directed, in the exe- ion and performance of the ſaid ſervice.

General iſſue pleadable.

XII. AND BE IT FURTHER ENACTED, That if any perſon or perſons ſhall, at any time or times, ued or proſecuted for any matter or thing by him or them done and executed in purſuance and cution of this act, or of any matter or thing in this act contained, ſuch perſon or perſons ſhall and plead the general iſſue, and give this act and the ſpecial matter in evidence for his or their de- ce; and if upon trial a verdict ſhall paſs for the defendant or defendants, or if the plaintiff or ntiffs ſhall become nonſuited, or diſcontinue his or their ſuit, then ſuch defendant or defendants

ſhall

CHAP. XVIII.

shall have and recover treble costs to him or them awarded against such plaintiff or plaintiffs, a the plaintiff or plaintiffs is or are unable to satisfy the same, then it shall be paid and satisfied by attorney who brought such suit, unless the plaintiff or plaintiffs shall give security for the costs, t approved of by the court in which such suit is brought.

A trustee to be elected yearly.

XXIII. AND, to prevent individuals being unreasonably burthened with the execution of this as trustees for the poor, BE IT ENACTED, That at the time of the meeting of the said trustees for poor in the first week of May yearly, the said trustees, or the major part of them, in the co aforesaid, shall and may elect and choose one of the best inhabitants of the same county to trustee for the poor of that county, in the stead of the first named or eldest of the said tru of the same county, which said first named or eldest trustee shall be, and is by virtue hereof, the from discharged from his office.

Trustee may order correction.

XXIV. AND BE IT FURTHER ENACTED, That in all cases, upon complaint of the overseer of work-house, or of any other work-house in this province, to any trustee for the poor of such w house, that any rogue, vagrant, vagabond, or other idle, dissolute and disorderly person the committed, and therein remaining, hath behaved and demeaned himself in a disorderly manner hath neglected and refused to do and perform his or her daily labour and task, or hath neglecte refused to obey, keep and observe, any of the ordinances, rules and by-laws, of the said corpora it shall and may be lawful for such trustee to order and direct such moderate and proper correc not exceeding thirty-nine lashes for any one offence, to be given to such offender, as the natu the case shall require.

CHAP. XIX.

Passed 23d of Dec. 1773.

An ACT to render the recovery of the penalty for selling liquor without licence more cer Lib. RG. fol. 270. Repealed March, 1780, ch. 24.

CHAP. XX.

An ACT to regulate the criminal business of Baltimore county. Lib. RG. fol. 271.

To continue for two years, &c. Continued for seven years, &c. by February, 1777, ch. 17, again continued for seven &c. by May, 1781, ch. 29. Expired.

CHAP. XXI.

An ACT for an addition to Baltimore-town, in Baltimore coun Lib. RG. fol. 273.

Preamble.

WHEREAS John Moale and Andrew Stigar, of Baltimore-town, by their humble petitio this general assembly, have set forth, that the said John Moale is seized in fee-simple of of land lying contiguous to the said town, and bounded in the following manner: Beginning a east corner of the lot of land number sixty-five, on Bridge-street, in the first addition to Baltim town, on the east side of Jones's falls, and running thence north forty-nine degrees east tw perches, north forty-one degrees west fifty-two perches, south fifty-eight degrees west twenty per and the fourth part of a perch, unto the north corner of the lot of land number seventy-one in aforesaid addition to Baltimore-town, and then bounding on and with the said addition unto place of beginning, containing six acres and one hundred and ten square perches, more or less; the said Andrew Stigar is seized in fee-simple of a lot or parcel of land adjacent to the said l land of the said John Moale, and bounded as follows: Beginning at the end of the line north fo nine degrees east twenty perches of the said John Moale's lot, and running from thence north t ty-six degrees and forty-five minutes east sixty-eight perches, south seventy-seven degrees west thi nine perches and the fourth part of a perch, south sixty-three degrees west twenty-nine perches half of a perch, unto the end of the line north forty-one degrees west fifty-two perches of the John Moale's lot aforesaid, and then bounding on that line reverse of the same unto the last afore place of beginning, containing eleven acres and fifty-six square perches, more or less; and that were desirous of annexing the said parcel of land to the said town, and therefore prayed that a might pass for that purpose; and it appearing to this general assembly, that to extend the limi the said town would contribute to promote the trade and commerce thereof,

Land to be surveyed, &c.

II. BE IT THEREFORE ENACTED, *by the right honourable the Lord Proprietary, by and with the advi consent of his Governor, and the Upper and Lower Houses of Assembly, and the authority of the same,* the commissioners of Baltimore-town, or the major part of them, do, and they are hereby dire and required, at any time before the last day of April next, to cause the aforesaid parcel of lan be surveyed and laid out into lots, streets and lanes, at the proper costs and expences of the John Moale and Andrew Stigar, according to their respective number of acres, in such manne

the ſaid commiſſioners, or the major part of them, ſhall ſeem convenient, and that when the ſame CHAP. XXI.
ll be done, the ſaid parcel of land ſhall be, and is hereby declared to be, part of Baltimore-town reſaid, to all intents and purpoſes, as fully and amply as if originally included therein, and have ſame immunities and privileges as the ſaid town by any law or laws heretofore made ought to

e.

CHAP. XXII.

ACT for the ſpeedy and effectual publication of the laws of this province, and for the encourage- Paſſed 23d of
ent of Anne Catharine Green, of the city of Annapolis, printer. Lib. RG. fol. 274. Dec. 1773.

CHAP. XXIII.

ACT to eſtabliſh a market in Baltimore-town, in Baltimore county, and to regulate the ſaid arket. Lib. RG. fol. 278.

This act was to continue three years, &c. Continued for ſeven years, &c. by February, 1777, ch. 17, for ſeven years, &c. by vember, 1784, ch. 83, and by 1791, ch. 84, to 30th October, 1798, &c. It has not been ſince expreſsly continued, but by act to erect Baltimore-town into a city, 1796, ch. 68, ſection 10, it was declared, that all acts of the legiſlature then in force ld continue and remain in force, but that the powers veſted in the commiſſioners, &c. ſhould be transferred to the corpora- Under that clauſe this act would have continued; but the objects of it are provided for under ſeveral ordinances of the cor- ion of the city of Baltimore, ſince which it has ceaſed to have any operation.

CHAP. XXIV.

ACT for the more effectual preſervation of the breed of wild deer. Lib. RG. fol. 281.

Repealed by reſolve of the convention, November, 1776, which mode of altering former laws is recognized by the 3d article the bill of rights.

CHAP. XXV.

ACT for the repair of the paper currency office. Lib. RG. fol. 283.

CHAP. XXVI.

ACT for emitting bills of credit, and applying part thereof. Lib. RG. fol. 283.

WHEREAS an emiſſion of bills of credit is, at this time of general ſcarcity of ſpecie, thought Preamble.
expedient for carrying on the trade and commerce of this province, and for anſwering divers r beneficial public purpoſes;

I. BE IT THEREFORE ENACTED, *by the right honourable the Lord Proprietary, by and with the advice* Bills of credit
conſent of his Governor, and the Upper and Lower Houſes of Aſſembly, and the authority of the ſame, to be printed,
bills of credit, of the denomination of dollars and parts of a dollar, to the amount of four &c.
red and eighty thouſand dollars; that is to ſay, two hundred and ſixty-ſix thouſand ſix hundred ſixty-ſix dollars and two third parts of a dollar for loan, eighty thouſand dollars for the pur- herein after particularly mentioned, and for ſuch other purpoſes as ſhall hereafter be appointed act of the general aſſembly, and one hundred and thirty-three thouſand three hundred and thirty- dollars and one third part of a dollar for the purpoſe of exchanging ſuch of the ſaid bills as be emitted in virtue of this act, and which ſhall become torn, defaced, and unfit to paſs, ſhall inted and ſtruck with all convenient ſpeed, on good ſingle paper, under the care and direction e commiſſioners appointed, or to be appointed, by virtue of an act, entitled, * An act for * 1769, ch. 14.
ing bills of credit, and other purpoſes therein mentioned, in manner and form following, to "This indented bill of —— ſhall entitle the bearer hereof to receive bills of exchange, pay- e in London, or gold and ſilver, at the rate of four ſhillings and ſix-pence ſterling per dollar for ſaid bill, according to the directions of an act of aſſembly of Maryland. Dated in Annapolis, s —— day of —— *anno domini* 1774;" which bills of credit ſhall be ſigned, numbered and dated, e commiſſioners aforeſaid, as herein after directed; and the number of dollars, or the parts rt of a dollar, by which each bill ſhall be denominated, ſhall be printed at the top of ſuch bill, ords at length, with the like devices and marks on the bills, and by the like ſtamps and flowers, ere uſed in printing the bills of credit laſt emitted in this province, as well readily to diſtinguiſh r ſeveral denominations, as to prevent counterfeits; the number of which bills, as well as the minations thereof, ſhall be the following, and no other, to wit: Eighteen thouſand bills of dollars each, eighteen thouſand bills of ſix dollars each, eighteen thouſand bills of four dollars , thirty-one thouſand five hundred bills of two dollars each, thirty-four thouſand five hundred of one dollar each, thirty-one thouſand five hundred bills of two third parts of a dollar each, ty-ſeven thouſand bills of half a dollar each, thirty-one thouſand five hundred bills of one third dollar each, twenty-ſeven thouſand bills of two ninth parts of a dollar each, twenty-ſeven ſand bills of one ſixth part of a dollar each, and twenty-ſeven thouſand bills of one ninth part dollar each; and the ſaid commiſſioners are hereby directed and required to uſe the beſt of their

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care and diligence that the ſaid bills, according to their reſpective denominations aforeſaid, an cording to the manner and form aforeſaid, be forthwith printed, and that the number of an the denominations thereof be not exceeded, or any clandeſtine or fraudulent practice uſed, by printer, his apprentices, ſervants or others, concerned therein.

Printer, &c. to be ſworn, &c.

III. AND BE IT ENACTED, That the printer who ſhall be employed in printing and ſtamping ſaid bills of credit, and all his apprentices and ſervants which he may employ in the ſaid work, before he or they begin or enter upon the ſame, take, before ſome juſtice of the provincial or co court, the following oath, to wit: "I, A. B. do ſwear, that I will truly, faithfully and hon "perform the duty of printer, agreeable to the directions of an act of aſſembly of this prov "entitled, An act for emitting bills of credit, and applying part thereof, and will not advi "print or ſtamp any greater number of blank bills of credit than in that act mentioned, "other denominations than therein expreſſed, except ſuch ſheets as may be ſo blotted, unfa "imperfect, in the impreſſing or printing thereof, that the ſame ſhall be unfit for uſe; ſo hel "God;" and if ſuch printer himſelf, or any of his apprentices or ſervants with his privity, ſha viſedly print or ſtamp any greater number of the bills aforeſaid, or of any other denominations by this act is limitted and expreſſed, contrary to the true intent and meaning thereof, ſuch pr ſhall forfeit and pay the ſum of five hundred pounds current money, to be recovered by acti debt, or bill of indictment, wherein not more than one imparlance ſhall be allowed; and an prentice or ſervant of ſuch printer, who ſhall adviſedly print or ſtamp any greater number o bills aforeſaid, or of any other denominations, than by this act is limitted and expreſſed, contra the true intent and meaning thereof, ſhall, on conviction in due courſe of law, receive cor puniſhment, by whipping, not exceeding thirty-nine ſtripes.

Commiſſioners to attend the preſs, &c.

IV. BE IT ALSO ENACTED, That the printer of the ſaid bills ſhall not, by himſelf, ſervant any other perſon by him employed, preſume to print, ſtamp, ſtitch or bind the ſaid bills, or a them, but in the preſence of one or both of the ſaid commiſſioners, who are hereby required a rected to be preſent, and at all times, when there ſhall be any intermiſſion of the ſaid work of pri or binding, the ſaid commiſſioners ſhall ſafely and ſecurely lock up the preſs, ſtamps and flo with which the ſaid work ſhall be performed, and the impreſſions that ſhall be then made, i room in which the printing and binding aforeſaid ſhall be done, and the keys of ſuch room ſhall in their poſſeſſion; and when all the ſaid bills ſhall be printed and ſtamped, the ſtamps and flowe which ſuch impreſſions ſhall be made ſhall be delivered by the printer to the ſaid commiſſioners, the penalty of five hundred pounds current money, to be recovered as aforeſaid; and the ſaid co ſioners are hereby directed and required to receive the ſaid ſtamps and flowers into their poſſe and the ſame ſafely keep in one of the iron cheſts in their office, under the penalty of five hu pounds current money each, to be recovered as aforeſaid; and the ſaid commiſſioners ſhall, o the bills of credit to be emitted in virtue of this act, iſſue and pay to the printer who ſhall ſtamp, ſtitch and bind the ſaid bills of credit, fifteen hundred of the ſaid dollars, for his ſaid ſer and the paper, ink and other materials neceſſary for the ſaid work.

Perſons counterfeiting to ſuffer death, &c.

V. AND BE IT FURTHER ENACTED, That any perſon or perſons who ſhall forge or count any of the ſaid bills of credit, or alter the ſum expreſſed in any of the ſaid bills of credit, an her or their aiders or abettors, or who ſhall offer, or cauſe to be offered, in payment, or utt cauſe to be uttered, any ſuch counterfeit, forged or altered bill of credit, knowing the ſame counterfeit, forged or altered, and who ſhall be thereof convict by due courſe of law, or ſtand or peremptorily challenge above the number of twenty of the pannel, ſhall ſuffer death as a fel felons, without benefit of clergy; and all perſons into whoſe hands any of the ſaid counte forged or altered bills may happen to come, ſhall forthwith deliver the ſame to ſome provinc county juſtice, who ſhall cauſe the name of him, her or them, that delivered the ſame, and perſon or perſons from whom the ſame was taken, to be endorſed on the back thereof, whic or bills ſhall be ſafely kept by the ſame provincial or county juſtice, and be forthcoming when may be occaſion.

Commiſſioners to ſign bills, &c.

VI. AND BE IT FURTHER ENACTED, That the ſaid commiſſioners, after the ſame bills are ſo ed, ſhall, from time to time, as occaſion may require, ſign and number ſo many of the ſaid b credit as ſhall amount to three hundred and forty-ſix thouſand and ſix hundred and ſixty-ſix dolla two third parts of a dollar in the whole, for emiſſion, and no more, and number counterparts of and ſuch of them as ſhall, from time to time, be ſo ſigned, ſhall depoſit and keep in one of the cheſts, now in their office, with two ſubſtantial locks of different conſtruction, and that each miſſioner ſhall keep a key, to the end that no bills of credit which ſhall be ſigned be taken out

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of but by or in the preſence of both of the ſaid commiſſioners, which cheſt ſhall be kept by in the repoſitory of the ſaid office; and their office ſhall be kept, and all the buſineſs relative is act ſhall be done, in the houſe called The Paper Currency Office, belonging to the province; he ſaid commiſſioners ſhall keep true, fair, and methodical accounts of all their tranſactions roceedings in virtue of this act, which accounts a committee of both houſes of aſſembly ſhall be nted every ſeſſion to inſpect and examine; and the ſaid commiſſioners are hereby required and ed to lay a full and fair ſtate of their proceedings before ſuch committee, to the end they may isfied that the ſums for which bills ſhall have been iſſued purſuant to this act be not exceeded, ay be acquainted from time to time with the ſtate of the whole tranſactions and affairs relating ſaid office, and of the management and behaviour of the ſaid commiſſioners, which committee every ſeſſi n, report to the aſſembly the ſtate and condition of the ſaid office, and the conduct ehaviour of the ſaid commiſſioners.

Bills to be let out, &c.

I. AND BE IT FURTHER ENACTED, That part of the ſaid bills, to the amount of two hundred ty-ſix thouſand ſix hundred and ſixty-ſix dollars and two third parts of a dollar only, ſhall and e let out to the inhabitants of this province, in ſterling, at the rate of four ſhillings and ſix- ſterling per dollar, upon intereſt, on bond, with good ſecurity; and to the end that the ſame e diſtributed as equally, and diffuſed as generally throughout the province as may be, the ſaid all be and are hereby appropriated for loan to the inhabitants of the reſpective counties, until d of two months next after the opening the office for the loan of the ſaid bills to be emitted in of this act, in the following proportions, to wit: Baltimore county thirty-five thouſand two ed dollars, Frederick county thirty-four thouſand nine hundred and thirty-three dollars and ird part of a dollar, Anne-Arundel county twenty-three thouſand ſeven hundred and thirty- dollars and one third part of a dollar, Prince-George's county twenty-one thouſand three hun- nd thirty-three dollars and one third part of a dollar, Charles county twenty thouſand dollars, rt county nine thouſand three hundred and thirty-three dollars and one third part of a dollar, Mary's county ſixteen thouſand dollars, Queen-Anne's county nineteen thouſand two hundred , Dorcheſter county eighteen thouſand nine hundred and thirty-three dollars and one third f a dollar, Worceſter county fourteen thouſand nine hundred and thirty-three dollars and one part of a dollar, Somerſet county fourteen thouſand four hundred dollars, Kent county fourteen nd one hundred and thirty-three dollars and one third part of a dollar, Talbot county thirteen nd three hundred and thirty-three dollars and one third part of a dollar, and Cæcil county thouſand two hundred dollars; and the ſaid bills of credit, ſo as aforeſaid appropriated for o the inhabitants of the reſpective counties as aforeſaid until the end of the ſaid two months, nd may be, by the ſaid commiſſioners, lent out to any perſon or perſons reſiding and inhabiting the ſaid counties reſpectively, and to no other perſon or perſons, upon intereſt, on bond with ecurity, in manner as herein after directed, any of which ſaid loans ſhall not exceed one thou- or be leſs than one hundred dollars, to one and the ſame perſon or perſons; and from the end ſaid two months, then ſuch of the ſaid bills as ſhall remain not lent out to the inhabitants of ſpective counties as ſuch, ſhall and may be, by the ſaid commiſſioners, lent out to any perſon ſons inhabiting and reſiding within this province, upon intereſt, on bond with good ſecurity, ner herein after directed; that is to ſay, at any time after the end of the ſaid two months he end of one month then next following, any ſum or ſums not exceeding one thouſand, nor an one hundred dollars, to one and the ſame perſon or perſons, and at any time after the end ſaid one month, any ſum or ſums not leſs than one hundred dollars to one and the ſame per- perſons; the reſpective borrower, at the time of any ſuch loan, where the ſame doth not ex- hree thouſand dollars, giving bond, with one or more ſureties, at the diſcretion of the ſaid ſſioners, and where ſuch loan doth exceed three thouſand dollars, giving a ſeparate bond for three thouſand dollars of ſuch loan, with one or more ſureties as aforeſaid, who, at the time ſhall not be bound as ſureties in the ſaid office for any ſums to the amount, in the whole, of han four thouſand dollars, to the intent that not more than four thouſand dollars, or the value , in the whole, may at any time reſt on the ſolvency or ſufficiency of the ſame ſureties; all bonds ſhall be payable to the ſaid commiſſioners for the time being, in double the principal ſum, ing money, conditioned for the payment of the ſum lent, with intereſt, at the rate of four *per* the year, at ſome ſhort day to be agreed upon; but before the ſaid commiſſioners ſhall lend y of the ſaid bills of credit, they ſhall give notice, by advertiſement in the Maryland Gazette, leaſt four weeks ſucceſſively, of the time they ſhall begin to lend the ſame; and it is hereby ed to be the duty of the ſaid commiſſioners, not to regard applications for the loan of money, nſacting any other buſineſs in their office, but only in courſe, and according to their priority, applications ſhall be perſonally made, and at the ſame time that the loan of money, or the any other buſineſs in the ſaid office, ſhall be required.

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Sureties to have a fee-simple estate, &c.

VIII. AND BE IT FURTHER ENACTED, That upon all loans under this, or future loans und said former act, the commissioners shall take all possible care that each of the sureties on t loans have an indefeasible estate in fee-simple in lands, situate, lying and being within this pro in the whole to double the value of all the sums for which they shall be sureties, free from all i brances, except the lord proprietary's quit-rents.

Bonds to be a lien, &c.

IX. AND BE IT FURTHER ENACTED, That all bonds which shall be taken by the commis aforesaid, by virtue of this act, shall be a lien upon and bind the real estates of the obligor, a sureties, into whose hands soever the same may come, from the day of the execution of such b bonds respectively, as fully and in the same manner as bonds taken by the said commissioners tue of the act, entitled, An act for emitting bills of credit, and other purposes therein ment and the said commissioners, as well as the surety or sureties in any of the said bonds, alien alienees of such principal debtor or surety or sureties, and the heirs, executors, administrato devisees of such surety or sureties, or alienee or alienees, shall, by virtue of this act, be enti the like remedies respectively, and shall and may proceed in the same manner, on the said bo be taken by the said commissioners in virtue of this act, as they respectively are entitled to an on bonds taken by the said commissioners by virtue of the said former act.

And may be assigned, &c.

X. AND BE IT FURTHER ENACTED AND DECLARED, That in case any surety or sureties sh the principal and interest due on any bond payable to the said commissioners, they shall, on quest of such surety or sureties, assign such bond in the same manner as they are required to the said former act, and such assignee shall have the same remedy thereon as if such surety or s had been called on by the said commissioners for payment, and had paid the same; and if any personal estate shall, by the last will or testament of any person bound in any bond to the sai missioners, or otherwise, by deed executed in his life-time, be charged with the payment of wh or shall be due on such bond, in such case the heirs, devisees, executors or administrators o person, shall be entitled, on the payment of what may or shall be due on such bond, on their r to have from the said commissioners such assignment as aforesaid, under and by virtue of which ment they shall effect such real and personal estate, so charged as aforesaid; and it is hereby declared and enacted, that any bonds already entered into, or hereafter to be entered into, said commissioners, shall, in course of administration, be of equal degree with judgments recov any court of record.

Debts, how to be discharged.

XI. AND BE IT FURTHER ENACTED, That any debtor to the said office on loan as aforesaid, bills of credit so to be lent out, may discharge his debt and interest due to the said office in th of credit emitted in virtue hereof, in the bills of credit heretofore issued by the act, entitled, act for the payment of the public claims, for emitting bills of credit, and for other purposes t mentioned, in the bills of credit emitted by virtue of the said other act, entitled, (b) An emitting bills of credit, and other purposes therein mentioned, or in silver and gold at the rat values expressed in the said last mentioned act; and the said commissioners are hereby direct required to receive the same accordingly, either for principal or interest, and to let out th again on loan, in manner aforesaid, except such bills of credit as were heretofore issued by t entitled, (c) An act for the payment of the public claims, for emitting bills of credit, and for purposes therein mentioned, and also except such other bills of credit and other monies as to it is herein otherwise directed; all which said mentioned bills of credit, and other monies so e ed, the said commissioners are hereby directed and required, as they come in, to keep separat safe in the said iron chest, subject to the inspection of the committee of assembly as aforesaid.

(a) 1766, ch. 26. (b) 1769, ch. 14. (c) 1766, ch. 26.

Oath of commissioners, &c.

XII. AND BE IT ENACTED, That before the said commissioners shall give directions touchi printing and stamping the said bills, the same commissioners and their clerk shall, before som vincial justice, (who is hereby empowered to administer the same,) respectively take the fol oath, to wit: "I, A. B. do swear, that I will, according to the best of my skill and know "faithfully, impartially and truly demean myself in discharge of the trust committed to me "act of assembly of this province, entitled, An act for emitting bills of credit, and applyin "thereof, according to the purport and tenor of the said act, so as none may be prejudiced "consent, privity or procurement; so help me GOD." "I, A. B. do swear, that I will tru "faithfully perform and execute the office and duty that is directed and required of me as c "the commissioners for emitting bills of credit, by an act of assembly of this province, entitle "act for emitting bills of credit, and applying part thereof, and that I will keep a just and tr "count of all bills of credit which shall be issued and paid out of the said office, and of the na

…ſe to whom the ſame ſhall be paid and delivered, and all other neceſſary accounts relating to the …d bills of credit, and true entries make of all other proceedings and tranſactions of the ſaid com…ſſioners, without any fraudulent practice whatſoever; ſo help me GOD."

Defaced bills to be exchanged, &c.

…II. AND BE IT ENACTED, That upon application, during the continuance of this act, to the …iſſioners aforeſaid, by any perſon or perſons having any bill or bills of credit to be emitted …rtue of this act, torn or defaced, and unfit to paſs, the ſaid commiſſioners are hereby required, …ut fee or reward, to ſign and deliver a new bill or bills of credit to ſuch perſon or perſons …of ſuch torn or defaced bill, or bills of the ſame value and date therewith, and to number and …counterparts of the new bills ſo delivered, and alſo to keep ſuch torn and defaced bills ſo taken …gether with an account of the ſame, for the inſpection of the committee of aſſembly aforeſaid.

Not to circulate more than twelve years, &c.

…V. AND BE IT ENACTED, That the ſaid bills of credit by this act to be emitted ſhall not con…in circulation for a longer time than twelve years from the tenth day of April next; and for …king the ſame, the commiſſioners aforeſaid are hereby required, within the firſt ſix months of the …r of the ſaid twelve years, to call in all the debts due in the ſaid office on loans, by virtue of …t, to the end the ſaid bills of credit may be brought in, and burnt or deſtroyed; and that with…laſt ſix months of the ſaid twelve years, to wit, at any time between the tenth day of October, …ſhall be in the year of our Lord one thouſand ſeven hundred and eighty-five, and the tenth day …ril, which ſhall be in the year of our Lord one thouſand ſeven hundred and eighty-ſix, any per…r perſons who ſhall have the property in, or poſſeſſion of, any number of the ſaid bills of credit …iſſued by virtue of this act, ſhall be hereby entitled, by delivering the ſame to the ſaid commiſſi…, to demand and receive from them the full ſterling amount of the ſaid bills of credit ſo deliver…ither in good bills of exchange, at forty days ſight, to be drawn by the ſaid commiſſioners on …ruſtees reſiding in London, mentioned in the ſaid act, entitled, * An act for emitting bills of …t, and other purpoſes therein mentioned, or in gold and ſilver as rated in and by that act.

* 1769, ch. 14.

When bills may be lent out, &c.

…V. AND BE IT ENACTED, That it ſhall not be lawful for the ſaid commiſſioners to lend …y bills of exchange, bills of credit, or gold or ſilver, within the laſt year of the twelve years …ſaid, and they are hereby empowered, within the ſaid laſt year, but not before, to receive in …bills of exchange, at not more than forty days ſight, payable at ſome houſe in London, if offer…diſcharge of any of the loans by this act directed, which bills they ſhall, as ſoon as may be, …to the truſtees in London, to be preſented for payment; and the ſaid truſtees are hereby re…d, if any of the ſaid bills of exchange are not paid, to return proteſts immediately to the ſaid …iſſioners, to recover the money and damages that may be due thereon, and if paid, to keep the …y in their hands to the credit of the public of this province, out of which to pay ſuch bills as …aid commiſſioners ſhall draw on them to the proprietors or poſſeſſors of ſuch bills of credit as …e brought in; and the ſaid commiſſioners are directed to draw bills of exchange, at forty days …on the ſaid truſtees, for the purpoſe aforeſaid.

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…VI. PROVIDED NEVERTHELESS, That the bond or bonds for which ſuch bills of exchange may …ndered or offered, ſhall not be given up, nor be underſtood to be diſcharged, until advice ſhall …ceived of the payment of ſuch bills on London, but that there ſhall be an endorſement made on …ck of the bond for which ſuch bills of exchange ſhall be paid, of the receipt thereof, and when …id bills ſhall be paid in London, or, if proteſted, when the ſum, damages and charges of proteſt …be paid and ſatisfied, and not before, the ſaid bond ſhall be diſcharged and given up, and until …ſhall ſtand and remain as a lien and ſecurity, as fully and effectually as when firſt executed; and …aid commiſſioners ſhall keep a fair account of all the ſaid bills of credit ſo to be received in, as …in diſcharge of debts aforeſaid as for which they ſhall have drawn bills of exchange, or paid …and ſilver, and lock up the ſaid bills of credit in the iron cheſt aforeſaid, to be examined, can…and deſtroyed, by a committee of aſſembly, at the next ſeſſion after receipt thereof.

Intereſt to be paid annually, &c.

…VII. AND BE IT ENACTED, That the ſaid commiſſioners ſhall and they are hereby directed …required to compel the punctual payment of the intereſt annually which ſhall be due on …to be made by virtue of this act, within three months after the ſame ſhall reſpectively be…due, and for any intereſt they ſhall receive, ſhall give a receipt to the perſon paying the ſame, …default of ſuch payment of intereſt, ſhall cauſe ſuch proceſs as aforeſaid to be iſſued, to call in …principal and intereſt, and ſhall and may lend out again in manner aforeſaid ſuch gold and ſilver, …s of credit to be emitted by virtue of this act, as they may from time to time receive in from …rrowers aforeſaid, except ſuch as are herein directed to be retained in the ſaid office.

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Commiſſioners liable, &c.

XVIII. AND, the more effectually to enforce the regular and punctual payment of the intereſt may become due on the ſaid loans, and in which the public is ſo greatly intereſted, BE IT EN That in caſe the commiſſioners aforeſaid ſhall not iſſue proceſs on any of the ſaid bonds by th of ſix months next after the intereſt on ſuch bond ſhall be due and payable, then the ſaid commi ſhall be chargeable with, and their office bonds and their ſureties therein be liable for, n the principal money and intereſt due on ſuch bonds, but alſo intereſt on the intereſt, as it ſhal till actual payment into the office of the principal and all ſuch intereſt on the ſaid bond.

When bills may be lent out.

XIX. AND, the better to ſupport the credit of the ſaid bills now to be emitted, BE IT EN That whenever the current exchange between this province and London ſhall be more than rate of four ſhillings and ſix-pence ſterling per dollar, that is, when dollars will not purchaſe exchange at that rate or under, then, and ſo long as the exchange ſhall keep ſo above par, not be lawful for the ſaid commiſſioners to lend out any of the bills of credit they may then h their office, any thing herein contained to the contrary notwithſtanding.

Monies, how to be diſpoſed of.

XX. AND BE IT ENACTED, That all monies and bills of exchange which ſhall remain in t office, or in England in ſtock, or in the hands of the ſaid truſtees, or in the hands of the debt the loans aforeſaid, and the intereſt ariſing therefrom, after all the ſaid bills of credit by t emitted ſhall be called in and ſunk, ſhall be applied and diſpoſed of in ſuch manner and form aſſembly of this province ſhall direct and appoint.

Deemed a public act.

XXI. AND BE IT HEREBY DECLARED AND ENACTED, That this preſent act ſhall be tak allowed as a public act, and all judges, juſtices, and other perſons concerned, are hereby requ take notice thereof as ſuch, without pleading the ſame ſpecially.

Penalties, &c. to be received, &c.

XXII. AND BE IT ENACTED, That all penalties and forfeitures which ſhall be incurred covered under this act, ſhall be received by the ſheriff of the county wherein ſuch recovery had, and be by ſuch ſheriff paid, after deducting five *per centum* for his commiſſion, one half to the informer, if any, and the other half thereof, if any informer, or if no informer, then the into the hands of the ſaid commiſſioners, to be by them lent out on intereſt in manner aforeſai

Proviſo.

XXIII. PROVIDED ALWAYS, and it is the true intent and meaning of this act, that nothing contained ſhall extend, or be conſtrued or taken, to make any tender of the ſaid bills of cre diſcharge of any contract whatſoever, lawful, except ſuch contracts as ſhall or may be ma preſsly and ſpecifically for, or for the delivery of, ſuch bills of credit.

Proviſo.

XXIV. PROVIDED ALSO, AND BE IT HEREBY ENACTED, That no commiſſioner, or his ties, ſhall be liable, by his office bond, for any fault or miſcarriage in the execution of any truſts committed to the commiſſioners aforeſaid, other than ſuch as ſhall happen in the time continuance of the reſpective commiſſioner.

Bonds to be liable, &c.

XXV. AND BE IT FURTHER ENACTED, That the office bonds of the ſaid commiſſioners an clerk, already given or to be given, and their ſureties therein, ſhall reſpectively be liable for t commiſſioners and clerk, their faithful diſcharge of the duties required to be performed by th this act; and if any ſurety on the office bond of either of the ſaid commiſſioners or their clerk be unwilling to ſtand and be bound for ſuch commiſſioner or clerk reſpectively under the bond a given for the faithful diſcharge of the duties required of him by this act, and ſhall ſignify ſuc willingneſs to his excellency the governor, or commander in chief for the time being, in w then ſuch commiſſioner, or clerk reſpectively, ſhall give another bond, in the ſame penalty, wit ſureties, before ſuch juſtice, in like manner, with like condition, and to be proved, recorded, and kept, as the office bond of ſuch commiſſioner or clerk already given is directed by law, a atteſted copy of the record thereof ſhall alſo, in like manner, be evidence; and it is hereby dec that ſuch bond, to be given as aforeſaid, ſhall ſtand, and be conſtrued to ſtand, as ſecurity f faithful performance, after the date thereof, of all the duties of ſuch commiſſioner or clerk in ſpective office; and ſuch of the ſaid commiſſioners as ſhall execute the truſt under this act, ſh allowed after the rate of two hundred dollars each for the firſt, and after the rate of eighty each for every year after, until the tenth day of April, ſeventeen hundred and eighty-two, dition to the ſalaries heretofore allowed them; and the clerk for the time being to the ſaid co ſioners ſhall be allowed, for his ſervices in the execution of this act, after the rate of one hu dollars for the firſt year, and after the rate of ſixty dollars per year for every year afterwards, the tenth day of April, ſeventeen hundred and eighty-two, over and above his ſalary allow

er laws, which ſalaries ſhall be paid out of the bills of credit emitted in virtue of this and the act, entitled, * An act for emitting bills of credit, and for other purpoſes therein mentioned. CHAP. XXVI. * 1769, ch. 14.

XVI. AND BE IT FURTHER ENACTED, That the offices of the ſaid commiſſioners, and their clerk ſaid, ſhall have being and continuance, by virtue hereof, until the tenth day of April, ſeven- hundred and eighty-ſix, and ſhall and may, from time to time until that time, as occaſion may re, be filled up, uſed and exerciſed, in like manner as the ſame offices reſpectively may be filled ſed and exerciſed, until the ſaid tenth day of April, ſeventeen hundred and eighty-two, by e of the ſaid act, entitled, * An act for emitting bills of credit, and other purpoſes therein * 1769, ch. 14. ioned, and under the like ſecurities of ſuch bonds and oaths as are required by the ſame act; that after the ſaid tenth day of April, ſeventeen hundred and eighty-two, until the ſaid day of April, ſeventeen hundred and eighty-ſix, each of the commiſſioners who ſhall exerciſe office under this act ſhall be allowed after the rate of three hundred and twenty dollars by the for his ſalary, and no more, and the clerk to the ſaid commiſſioners ſhall be allowed, for his es in the execution of this act, after the rate of two hundred and fifty dollars by the year, and re, to be paid out of the bills of credit emitted in virtue of this act. Offices to continue, &c.

XVII. AND BE IT ENACTED, That of the ſaid eighty thouſand dollars to be emitted in virtue is act, ſuch number as ſhall be neceſſary, not exceeding eight thouſand dollars, be and are here- propriated to be laid out and expended in the cutting, clearing, amending and putting in good , a waggon road from Fort Cumberland to the neareſt batteau navigable water on the weſtern of the Allegany mountain; and the ſaid eight thouſand dollars, or ſuch part thereof as may be ſſary, ſhall and may be laid out and expended in the work aforeſaid, by Mr. Thomas Johnſon, r, Mr. Henry Griffith, Mr. Charles Beatty, Mr. Thomas Sprigg Wootton, Mr. Joſeph Sprigg, Thomas Price and Mr. Jonathan Hagar, or the major part of them, who are hereby appointed viſors of the ſaid road; and the ſaid commiſſioners ſhall, from time to time, pay to the order or s of the ſaid ſupervifors, or the major part of them, any part or parts of the ſaid eight thouſand s, for the purpoſe aforeſaid, of the expenditure whereof the ſaid ſupervifors ſhall, from time ne, render to the general aſſembly of this province a full and perfect account. Eight thouſand dollars appropriated, &c.

XVIII. AND BE IT ENACTED, That the commiſſioners aforeſaid, out of the intereſt which ſhall on the loans to be made in virtue of this act, and which ſhall be firſt paid into the ſaid office, retain in the ſaid office, and ſecurely and ſafely lock up in one of the ſaid iron cheſts, with two and keys as aforeſaid, forty-two thouſand ſix hundred and ſixty-ſix dollars and two third parts dollar, or the value thereof in gold and ſilver, and the ſaid forty-two thouſand ſix hundred and ſix dollars and two third parts of a dollar, or the value thereof as aforeſaid, to ariſe and be firſt in for intereſt as aforeſaid, ſhall be and are hereby appropriated to and for the eſtabliſhment of a ary of learning in this province, in ſuch manner as ſhall be directed and appointed by act of the al aſſembly thereof. Intereſt to be retained, &c.

CHAP. XXVII.

ACT for the relief of Samuel Dorſey, of Anne-Arundel county. Lib. RG. fol. 295. A Pri- te Act. Paſſed 23d of Dec. 1773.

CHAP. XXVIII.

ACT for the ſupport of the clergy of the church of England in this province. Lib. RG. fol. 6.

This act was to continue twelve years, but the revolution has prevented its operation.

CHAP. XXIX.

ACT for raiſing and applying money towards erecting and maintaining a light-houſe on Cape ury. Lib. RG. fol. 298.

CHAP. XXX.

ACT for the relief of the poor within the county of Baltimore. Lib. RG. fol. 301.

WHEREAS the inhabitants of Baltimore county, by their humble petition to this general aſ- ſembly, have ſet forth, that the neceſſity, number, and continual increaſe of the poor within ſaid county, is very great, and exceedingly burthenſome, which might be greatly leſſened by a regulation and employment of them, and praying that a law may paſs for that purpoſe, and to e the commiſſioners for emitting bills of credit to pay and advance to the truſtees, for the uſe of county, the ſum of two thouſand four hundred pounds ſterling in bills of credit, and that the ſum may be repaid to the public, with intereſt, by the ſaid county; Preamble.

II. BE

CHAP. XXX.

House to be erected, &c.

II. BE IT THEREFORE ENACTED, *by the right honourable the Lord Proprietary, by and with the and conſent of his Governor, and the Upper and Lower Houſes of Aſſembly, and the authority of the* That there ſhall be an alms and work-houſe erected, built and ſet up, in the ſaid county.

Bills appropriated, &c.

III. AND, whereas by an act, entitled, An act for emitting bills of credit, and applying thereof, made and paſſed this preſent ſeſſion of aſſembly, thirty-five thouſand two hundred doll the bills to be emitted by virtue of the ſaid act are appropriated for loan to the inhabitants of more county, but before the ſame can be lent out the diviſion of that county will take place, an thereof will become a diſtinct county, by the name of Harford; BE IT THEREFORE ENACTED, eleven thouſand ſeven hundred and thirty-three dollars and one third part of a dollar of the ſaid d ſo appropriated for loan to the inhabitants of Baltimore county, ſhall be and are hereby appropr for loan to the inhabitants of the ſaid part of Baltimore which will be a diſtinct county by the of Harford, for the time and in the manner that bills of credit are appropriated for loan to the bitants of other counties, and no more of the ſaid bills appropriated for loan to the inhabita Baltimore county ſhall be lent to the inhabitants of Harford county as ſuch, any thing in the ſa to the contrary notwithſtanding.

Money to be advanced, &c.

IV. AND BE IT FURTHER ENACTED, That the commiſſioners aforeſaid ſhall advance and pay t truſtees for the poor of Baltimore county by this act appointed, or the major part of them, or order or orders, ten thouſand ſix hundred and ſixty-ſix dollars and two third parts of a dollar, the reſidue of the ſaid bills of credit appropriated by the ſaid act for loan to the inhabitants of timore county aforeſaid, which ſaid truſtees, or the major part of them, are hereby authoriſe required to receive and apply the ſame to the uſes and purpoſes herein after directed.

Inhabitants to pay, &c.

V. AND, for the repayment of the ſaid ten thouſand ſix hundred and ſixty-ſix dollars and two parts of a dollar, together with intereſt thereon at the rate of four *per cent.* by the year, E ENACTED, That each and every of the taxable inhabitants of that part of Baltimore county, w after the diviſion of the ſaid county takes place, will ſtill retain the name of Baltimore, ſhall, the whole of the ſaid ten thouſand ſix hundred and ſixty-ſix dollars and two third parts of a d with intereſt thereon as aforeſaid, and alſo the ſheriff's ſalary of five *per cent.* for collection th be fully raiſed on the ſaid taxable inhabitants, yearly and every year, pay to the ſheriff for the being of Baltimore county twelve pounds of tobacco, in tobacco or money, within the times a the manner that the public and county levies are payable, the firſt of which payments to be ma the year ſeventeen hundred and ſeventy-four; and the ſheriff aforeſaid may and ſhall collect and diſtrain and execute for the ſame, in like manner as he may collect and levy, diſtrain and execu the public or county levy, and after deducting and retaining his commiſſion for collection, ſha what money ſhall remain of the ſaid twelve pounds of tobacco per poll, rating the ſame in mon the ſame is payable, for each reſpective year, to the commiſſioners aforeſaid, on or before the th firſt day of Auguſt in each year, which payments ſhall be placed by the commiſſioners aforeſaid t credit of Baltimore county, in the firſt place to ſink the intereſt due on the money to be drawn o virtue of this act, and in the next place towards the diſcharge of the principal, ſo far as the will extend, and when the whole of the principal ſhall be paid in with intereſt as aforeſaid, th commiſſioners ſhall give notice to the ſheriff aforeſaid, and then there ſhall be no further year by virtue of this act.

Sheriff may be ſued, &c.

VI. AND BE IT FURTHER ENACTED, That in caſe the ſheriff ſhall not make ſuch payment w the time limited, the commiſſioners aforeſaid ſhall and may, within thirty days thereafter, profe a writ of *ſcire facias* againſt him and his ſureties on his office bond, in like manner as they may bonds taken by them on the loan of money, and ſhall recover the like judgment, and have th execution, and on ſuch proceeding the ſheriff aforeſaid ſhall be chargeable with and pay inter the rate of four *per cent.* by the year from the time he ought to have paid the money aforeſaid, he ſhall actually pay the ſame.

Tobacco paid to be ſold, &c.

VII. AND BE IT ENACTED, That if any of the taxable inhabitants chargeable with the ſai ſhall pay the ſame in tobacco, then the ſheriff aforeſaid ſhall, on ſecond day of the Auguſt next thereafter for his county, ſell the ſame in open court, for the benefit of the ſaid county the ſaid ſheriff ſhall, in his account with the ſaid county, be allowed yearly for all inſolvent from whom the ſaid twelve pounds of tobacco per poll cannot be collected, as well as for the who actually pay in tobacco, and ſhall be charged and chargeable in the ſaid account with the for which the tobacco ſhall be ſold by him, and ſhall, at the November court next after his la lection, account for and pay to the juſtices of Baltimore county aforeſaid, for the uſe of th co

y, the ſurplus of the ſaid tax remaining after payment of the principal and intereſt as aid.

II. AND BE IT FURTHER ENACTED, That for the time being, Meſſieurs Charles Ridgely, Willi- Truſtees ap-
x, John Moale, William Smith, Samuel Purviance, of Baltimore-town, Andrew Buchanan and pointed, &c.
Dorſey Gough, are hereby appointed and named truſtees for the poor of Baltimore county,
re empowered with full and ſufficient authority for diſcharging the ſeveral offices, duties and
repoſed in and required of them by this act; the which perſons appointed, authoriſed and
, or the major part of them, in caſe of the death or abſence of any one, are hereby required,
all convenient ſpeed, to meet at ſuch places within the ſaid county as to them ſhall ſeem meet,
alify themſelves for the office of truſtees for the poor of the ſaid county, which they are to do
king the ſeveral oaths appointed by law to be taken to the government, ſigning the oath of
ation, and repeating and ſigning the teſt, and alſo taking the following oath, to wit: "I, A. B.
ſwear, that I will duly and faithfully diſcharge the duties and truſts committed to me as a
tee for the poor of Baltimore county, according to the beſt of my ſkill and knowledge, and an
of aſſembly, entitled, An act for the relief of the poor within the county of Baltimore; ſo help
GOD;" the which oaths are to be adminiſtered by any of the four perſons laſt named, to the
firſt named, or, in his abſence, to any one of the three perſons firſt named that ſhall be there
t, the which perſon, being ſworn as aforeſaid, ſhall adminiſter the oaths afore-mentioned to all
eſt, and ſo ſucceſſively, the perſon firſt named that ſhall be preſent ſhall always adminiſter the
aths to any that have been abſent, or that ſhall hereafter be elected and choſen purſuant to
rections of this act to ſupply the place of any that ſhall be dead, or removed out of the county,
any who ſhall refuſe or neglect to qualify and act as a truſtee, when elected and choſen pur-
to the directions of this act; and the aforeſaid perſons, or the major part of them, being
as aforeſaid, ſhall be conſtituted and qualified as truſtees for the poor of their ſaid county,
s ſuch, are hereby inveſted with full power and authority, as a body politic, to plead and be
aded, to ſue and be ſued, to defend and be defended, to anſwer and be anſwered, by the name
e Truſtees for the Poor of Baltimore county, in all and every cauſe, complaint and action,
perſonal or mixt, of whatſoever kind or nature it ſhall be, in any of the courts of judicature
this province, and by that name they, and any of them, and their ſucceſſors, ſhall and they
reby enabled to take, hold, poſſeſs and enjoy, any gift, donation or preſent, which ſhall or may
ter be given, deviſed or bequeathed, by any perſon or perſons whatſoever, to them, or any of
for or towards the ſupport and maintenance of the poor in the county aforeſaid; and they, or
them, may receive, by way of ſubſcription, any ſum or ſums of money which ſhall or may be
for the better and more ſpeedy promoting the benefit and good by this act intended; and that
ave full power, authority, lawful capacity and ability, to purchaſe, take, hold, receive, enjoy
ave, to them and their ſucceſſors for ever, any lands, tenements and hereditaments, not exceed-
e yearly value of one thouſand pounds, of any perſon or perſons whatſoever, and are hereby
wered and authoriſed to uſe one common ſeal in their buſineſs relating to the ſaid corporation,
e ſame, at their pleaſure, to change and alter; and that the ſaid perſons ſo incorporated, the
livers and ſucceſſors of them, ſhall be the true, ſole and undoubted truſtees, in perpetual ſuc-
for ever, to be continued in way and manner hereafter ſpecified, with full and abſolute power,
and authority, in the making and ordaining ſuch laws, orders and rules, for the better re-
, regulating and ſetting the poor to work, and puniſhing vagrants, beggars, vagabonds and
offenders, and for the good government of the ſaid alms and work-houſe in their reſpective
ies, as to them and their ſucceſſors ſhall, from time to time, ſeem moſt fit and requiſite, all
ſhall be obſerved by the overſeer of ſuch alms and work-houſe, and by all poor, beggars, va-
, vagabonds and other offenders, in ſuch alms and work-houſe, under the penalties therein
ined; provided always, that the ſaid rules, laws and orders, be no wiſe contrary to the laws of
rovince.

III. AND, to perpetuate the ſucceſſion of the afore-mentioned number of truſtees for the poor
ſaid county, BE IT ENACTED, That as often as any one or more of the ſaid truſtees for the How vacancies
ſhall die or remove himſelf out of the ſaid county, that then and ſo often, the truſtees for the are to be filled.
being, then ſurviving and remaining within the ſaid county, or the major part of them, be and
reby authoriſed and required to elect, nominate and chooſe, one or more of the principal or
ſort of the inhabitants of the county, not being related in blood to any other of the then truſ-
into the place and room of the ſaid truſtee, ſo dead or removed, and ſo to fill up the full num-
truſtees for the ſaid alms and work-houſe, the which perſons, ſo elected and choſen, from time
, are always to be qualified in the ſame manner as before by this act is directed.

X. AND

CHAP. XXX.

Penalty for refusing to act.

X. AND BE IT FURTHER ENACTED, That every person by this act appointed as a trustee f poor, or that shall hereafter be nominated and appointed as such pursuant to the directions h and who shall wilfully refuse or delay to take upon him the said office, shall forfeit and pay, for such refusal or delay, the sum of ten pounds current money; provided, that no member of the or lower house of assembly, clergyman, attorney, or practising physician, be obliged to accept office of trustee aforesaid, or forfeit as aforesaid for refusing to accept and take upon him the and that no provincial or county magistrate or sheriff, or any one who hath not the qualificat be a member of the lower house of assembly, if elected, shall be capable to be chosen or a trustee aforesaid, nor shall any person be compellable to serve in less than three years after h served, or paid the said forfeiture for not serving as a trustee aforesaid.

Trustees to purchase land, &c.

XI. AND BE IT FURTHER ENACTED, That the said trustees, or the major part of them, app as aforesaid, shall, and they are hereby authorised, directed and required, out of the money afo to buy and purchase, in fee, a quantity of land in the said county, not exceeding one hundred near and convenient to Baltimore-town, but not within half a mile thereof; and to agree and co with a workman or workmen to undertake, erect, build, and in a workmanlike manner to comple finish, on the said land, when so purchased, good, strong, sufficient and convenient houses, habit and dwellings, for the reception of the poor of said county, and of such vagrants, beggars, vag and other offenders, as shall be committed by virtue of this act; and shall appropriate one part of, to be called the Alms-house, to and for the reception and lodging of the poor of the said c and another part or parts thereof, to be called the Work-house, to and for the reception and l of all such vagrants, beggars, vagabonds and other offenders, as shall be committed by virtue act; and the aforesaid land when bought, and the aforesaid houses, habitations and dwellings, built, shall be, and are hereby enacted and declared to be, vested in the said trustees, by virtue act, as their estate and inheritance, for the uses and purposes by this act directed and expresse

And buy beds, &c.

XII. AND BE IT FURTHER ENACTED, That the said trustees, or the major part of them, sh they are hereby authorised, directed and required, after the houses, habitations and dwellings said shall be completely erected and finished, to buy and purchase, for the use and employment poor, vagrants, beggars, and other offenders, who shall be committed by virtue of this act, su beds, bedding, working tools, kitchen utensils, cows, horses, and other necessaries; and th trustees are hereby directed and required, to keep a fair, distinct and clear account, in writing, the monies by them expended and paid by virtue of this act, and to return a true copy thereo shew and produce the vouchers to support the same, to the justices of the county aforesaid, vember court, to be by the said justices inspected and examined.

Justices to levy tobacco, &c.

XIII. AND BE IT FURTHER ENACTED, That the justices of the county court aforesaid for th being, shall and they are hereby empowered to assess and levy on the taxable inhabitants of t county, at the time of their laying their county levy, in the year seventeen hundred and se four, a quantity not exceeding fifteen pounds of tobacco per poll, together with the sheriff's of five *per cent.* for collecting the same, which said assessment shall be made, levied, collected an in the same manner as herein before by this act is directed; which said tobacco, when so as afo collected, shall be paid by the sheriff of said county to the order of the trustees aforesaid, or t jor part of them, under their common seal, who are hereby authorised and required to recei apply the same to and for the use, benefit and charge, of maintaining the poor, vagrants, be vagabonds and other offenders, in the purchasing provisions and other necessaries for use and in paying a doctor for his salary and medicines, in providing men and women servants, to be the management and direction of an overseer of such alms and work-house, hereafter to be appo and in purchasing materials for the use and employment of all the poor, and all beggars, vag vagabonds and other offenders, who shall be able to work, and who shall be committed by vi this act.

Trustees to meet, &c.

XIV. AND BE IT FURTHER ENACTED, That the said trustees, or the major part of them, and they are hereby authorised, obliged, directed and enjoined, to meet together on the first M of May yearly, and at all such other times as they shall judge necessary, at the alms and work in the said county, during the continuance of this act, to appoint a fit person of the said co be the overseer of the alms and work-house aforesaid, and such other proper officers and serva to them shall appear necessary, and they, or the major part of them, shall and may agree, an are hereby empowered to pay the said overseer, as a salary, out of the tobacco and money rais collected as aforesaid, a sum not exceeding eighty pounds current money *per annum*, and so during his continuance in office, and shall then take, and the said overseer and every other o

appointed, ſhall, and he is hereby obliged to enter into a bond, with ſufficient ſureties, in the of two hundred pounds current money, payable to the ſaid truſtees for the poor, conditioned ows, to wit: "The condition of the above obligation is ſuch, that if the above bound A. B. verſeer of the alms and work-houſe in Baltimore county, ſhall well and truly diſcharge his in the ſaid ſtation, and more particularly according to the directions of the act of aſſembly, led, An act for the relief of the poor within the county of Baltimore, then the above obliga- to be void, otherwiſe to remain in full force and virtue in law."

By 1797, ch. 100, the truſtees are empowered to pay the overſeer a ſalary not exceeding 400 dollars *per annum*.

May remove the overſeer, &c.

. AND BE IT FURTHER ENACTED, That the ſaid truſtees, or the major part of them, ſhall, and re hereby directed and empowered to remove ſuch overſeer, and all other officers by them appointed in purſuance of this act, at their diſcretion, and to proceed to chooſe others in lace and ſtead.

And meet four times a year, &c.

. AND BE IT FURTHER ENACTED, That the ſaid truſtees, or the major part of them, ſhall y are hereby directed and enjoined to meet at the alms and work-houſe in the ſaid county four the year, to wit: In the firſt week of February, May, Auguſt and November, or oftener, ould by them be deemed neceſſary, to make and ordain, by a majority of votes of ſuch be preſent, all ſuch good and wholeſome ordinances, rules and by-laws, as they ſhall onvenient and neceſſary for the direction, government and ſupport, of ſuch alms and work- and alſo for the maintenance and employment of all ſuch poor perſons as ſhall be taken under are, and of all vagrants, beggars, vagabonds and other offenders, that ſhall be committed by virtue of this act; all which ordinances, rules and by-laws, ſhall be from time to time in- obſerved by all perſons concerned, according to the tenor and effect thereof.

Overſeer to keep a liſt, &c.

I. AND BE IT FURTHER ENACTED, That the ſaid overſeer ſhall keep a fair and regular liſt oor, beggars, vagrants, vagabonds and other offenders, who ſhall be committed to the alms and ouſe aforeſaid, and alſo fair and regular accounts, in writing, of all materials and other things to his hands, as overſeer aforeſaid, and of all expences and charges attending their maintenance pport, and of all monies received by him for the ſale of the produce of their labour, and ife as overſeer aforeſaid, and ſhall lay the ſaid liſts and accounts before the truſtees, or the ma- of them, at their meetings at the times by this act directed, or oftener, if by them d.

And compel the poor to work, &c.

II. AND BE IT FURTHER ENACTED, That the ſaid overſeer may compel or oblige any of the or, beggars, vagrants and vagabonds, or other offenders, in their reſpective alms and work- if of ſufficient ability to work, to labour and work, and the produce of their labour he is directed and empowered to ſell, and apply the money ariſing from ſuch ſale to their mainte- nd ſupport.

Diſorderly perſons may be committed, &c.

. AND BE IT FURTHER ENACTED, That upon complaint made, that any perſon, from his or orderly conduct, gives diſturbance to his or her neighbourhood, and is likely to become charge- the ſaid county, it ſhall and may be lawful for any one magiſtrate of the ſaid county, if upon the party he ſhall adjudge the complaint to be well founded, to commit ſuch diſorderly perſon, within the ſaid county, to the ſaid work-houſe, for any time not exceeding three months, he or ſhe ſhall find ſecurity, at the diſcretion of the magiſtrate aforeſaid, in any ſum not ex- twenty pounds current money, for his or her good behaviour, and more orderly demeanour, the ſpace of ſix months; and alſo upon complaint and due proof made, by any one truſtee for r, or any overſeer of any alms and work-houſe, to any one magiſtrate of the ſaid county, y perſon in the ſaid work-houſe hath behaved and demeaned him or herſelf in a diſorderly or hath refuſed or neglected to do and perform his or her daily labour and taſk, or hath or neglected to obey, keep and obſerve, any of the ordinances, rules and by-laws of the ſaid ion, to order and direct ſuch moderate and proper correction, not exceeding thirty-nine laſhes one offence, to be given to ſuch offender, as the nature of the caſe ſhall require.

Truſtees to direct what poor ſhall be received, &c.

. AND BE IT FURTHER ENACTED, That it ſhall and may be lawful to and for any of the ſaid to direct and appoint, under their hand, in writing, what poor ſhall be received into ſuch d work-houſe; and it ſhall and may be lawful for any one juſtice of the peace for the ſaid and for any perſon authoriſed and appointed by ſuch juſtice, to apprehend, or cauſe to be nded, and committed to the ſaid work-houſe, any rogues, vagrants, vagabonds, beggars, r idle, diſſolute and diſorderly perſons, found loitering or reſiding in the ſaid county,

CHAP. XXX.

who follow no labour, trade, occupation or buſineſs, and have no viſible means of ſubſiſtence by to acquire an honeſt livelihood, there to be kept at hard labour for any term not exceedin months; and the overſeer of ſuch alms and work-houſe is hereby required to receive any po pointed as aforeſaid to be received, and any rogue, vagrant, vagabond, beggar, and other id ſolute and diſorderly perſons, ſo as aforeſaid committed, and employ them according to the t ſuch commitment.

Perſons received to wear a badge, &c.

XXI. AND BE IT FURTHER ENACTED, That every perſon who ſhall be received into the work-houſe and there receive relief, ſhall, upon the ſhoulder of the right ſleeve of the upp garment of every ſuch perſon, in an open and viſible manner, wear ſuch badge or mark as is after mentioned and expreſſed; that is to ſay, the letters P. B. in large Roman characters, cu in red or blue cloth, as by the overſeer of the poor ſhall be directed and appointed; and if a poor perſon ſhall neglect or refuſe to wear ſuch badge or mark as aforeſaid, and in manner a ſaid, it ſhall and may be lawful for any one of the truſtees aforeſaid, to puniſh every ſuch offen every ſuch offence, either by ordering his or her relief or uſual allowance to be abridged, ſu or withdrawn, or otherwiſe by ordering ſuch offender to be whipt, not exceeding twenty laſh kept to hard labour for any number of days not exceeding twenty-one, as to the ſaid truſtee, diſcretion, it ſhall moſt ſeem meet; and if any overſeer of the poor ſhall receive into the al work-houſe, or ſhall relieve any ſuch perſon, not having or wearing ſuch badge or mark as afo and be thereof convicted upon the oath of one or more credible witneſs or witneſſes, ſhall forf pay the ſum of five pounds current money.

Penalty on keeping booth, &c.

XXII. AND BE IT FURTHER ENACTED, That whoſoever ſhall preſume either to ſet up a ſtall or other convenience, for the ſelling of ſtrong liquors, on the land purchaſed in the county ſaid for the uſe of an alms or work-houſe, or ſhall commit any kind of treſpaſs thereon, or ſ or diſpoſe of any ſtrong liquor, or other matter or thing whatſoever, to any poor, or other entertained in ſuch alms and work-houſe, ſhall, for every ſuch offence, forfeit and pay the ten pounds current money.

Penalties, &c. how to be recovered, &c.

XXIII. AND BE IT FURTHER ENACTED, That all and every the penalties and forfeitures, before by this act directed and inflicted, ſhall and may be recovered in the county court county, by action of debt, founded on this act, or indictment, wherein no eſſoin, protec wager of law, or more than one imparlance, ſhall be allowed, any thing in this act herein contained to the contrary thereof in anywiſe notwithſtanding, one moiety to the informe other moiety to the uſe of the alms and work-houſe; in which action of debt it ſhall b cient for the plaintiff to allege, that the defendant or defendants are indebted to the p the ſums of money or tobacco by this act directed or inflicted, whereby the plaintiff's act crued to him, according to the form of this act of aſſembly, without ſetting forth the matter; provided a ſhort note, expreſſing the cauſe of action, be lodged in the office at the iſſuing the writ.

Sheriffs, &c. to aid truſtees.

XXIV. AND BE IT FURTHER ENACTED, That all ſheriffs, bailiffs, conſtables, and all other and miniſters of juſtice, ſhall be aiding and aſſiſting to the ſaid truſtees for the poor in t county, and to all ſuch officers as ſhall be employed by them, as by this act is directed, in t cution and performance of the ſaid ſervice.

General iſſue pleadable.

XXV. AND BE IT FURTHER ENACTED, That if any perſon or perſons ſhall, at any time o be ſued or proſecuted for any matter or thing by him or them done and executed in purſuan execution of this act, or of any matter or thing in this act contained, ſuch perſon or perſons ſh may plead the general iſſue, and give this act and the ſpecial matter in evidence for his or th fence; and if upon trial a verdict ſhall paſs for the defendant or defendants, or if the plai plaintiffs ſhall become nonſuited, or diſcontinue his or their ſuit, then ſuch defendant or def ſhall have and recover treble coſts to him or them awarded againſt ſuch plaintiff or plaintiffs, the plaintiff or plaintiffs is or are unable to ſatisfy the ſame, then it ſhall be paid and ſatisfied attorney who brought ſuch ſuit, unleſs the plaintiff or plaintiffs ſhall give ſecurity for the coſts approved of by the county court.

A truſtee to be elected yearly.

XXVI. AND, to prevent individuals being unreaſonably burthened with the execution of t as truſtees for the poor, BE IT ENACTED, That at the time of the meeting of the ſaid truſtees poor, in the firſt week of May yearly, the ſaid truſtees, or the major part of them, in the ſai ty, ſhall and may elect and chooſe one of the beſt inhabitants of the ſame county to be a tru

oor of the said county, in the stead of the first named or eldest trustee, which said first named eldest trustee shall be, and is by virtue hereof, thencefrom discharged from his office. CHAP. XXX.

VII. AND BE IT FURTHER ENACTED, That in all cases, upon complaint of the overseer of said house, to any trustee for the poor of such work-house, that any rogue, vagrant, vagabond, or idle, dissolute and disorderly person thereto committed, and therein remaining, hath behaved emeaned himself in a disorderly manner, or hath neglected and refused to do and perform his daily labour and task, or hath neglected or refused to obey, keep and observe, any of the orres, rules and by-laws, of the said corporation, it shall and may be lawful for such trustee to and direct such moderate and proper correction, not exceeding thirty-nine lashes for any one e, to be given to any such offender, as the nature of the case shall require. Trustee may order correction.

CHAP. XXXI.

CT for the continuance of an act, entitled, (a) An act for regulation of the staple of tobacco, for preventing frauds in his majesty's customs. Lib. RG. fol. 310. Passed 23d of Dec. 1773.

(a) November, 1773, ch. 1, continued for twelve years, &c. Repealed June, 1780, ch. 14, section 4.

CHAP. XXXII.

CT to enable the undertaker for building the stadt-house to cover the same with copper. Lib. fol. 310.

CHAP. XXXIII.

CT for payment of the public creditors. Lib. RG. fol. 311.

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a SESSION of ASSEMBLY begun and held at the CITY of NNAPOLIS, on Wednesday, the 23d day of March, in the 3d ear of the dominion of the right honourable HENRY HARFORD, squire, absolute Lord and Proprietary of the province of Maryand, and ended the 19th day of April, *anno domini* 1774, the llowing laws were enacted. 1774.

ROBERT EDEN, ESQUIRE, GOVERNOR.

CHAP. I.

CT for the adjournment of the provincial court. Lib. RG. fol. 317.

CHAP. II.

CT to prevent infection from the ship Chance. Lib. RG. fol. 318.

CHAP. III.

ACT to repeal an act against engrossers and regrators. Lib. G. fol. 319. Passed 19th of April, 1774.

IT ENACTED, *by the right honourable the Lord Proprietary, by and with the advice and consent of his Governor, and the Upper and Lower Houses of Assembly, and the authority of the same*, That an assembly, made at a session of assembly begun and held at the city of Annapolis on the fifth day tember, one thousand seven hundred and four, entitled, * An act against engrossers and regrabe and is hereby repealed, abrogated and made null and void. An act repealed. * Chapter 48.

CHAP. IV.

CT for the relief of Benjamin Harris, of Frederick county. Lib. RG. fol. 320. A Pri- Act.

CHAP. V.

Passed 19th of April, 1774.

An ACT to repeal part of an act to encourage the deſtroying wolves, crows and ſquirrels. Lib. RG. fol. 320.

Part of an act repealed.

BE IT ENACTED, *by the right honourable the Lord Proprietary, by and with the advice and conſent Governor, and the Upper and Lower Houſes of Aſſembly, and the authority of the ſame*, That ſo of an act of aſſembly, made at a ſeſſion of aſſembly begun and held at the city of Annapolis the

* Chapter 7.

day of October, one thouſand ſeven hundred and twenty-eight, entitled, * An act to encoura deſtroying of wolves, crows and ſquirrels, as relates to the killing of crows and ſquirrels in more county, be and is hereby repealed, abrogated and made void.

CHAP. VI.

An ACT for aboliſhing June county courts. Lib. RG. fol. 321.

This act was to continue for three years, &c. Continued for ſeven years, &c. by February, 1777, ch. 17, and for ſeve &c. by 1784, ch. 83. Expired.

CHAP. VII.

An ACT for the ſupport of an organiſt in King and Queen pariſh, in Saint-Mary's county. RG. fol. 322.

CHAP. VIII.

An ACT to empower the juſtices of Somerſet county to levy on the taxable inhabitants of tha of Stepney pariſh which lies in the ſaid county a quantity of tobacco for the purpoſes therein tioned. Lib. RG. fol. 323.

CHAP. IX.

An ACT for the building of a pariſh church in All-Saints pariſh, in Calvert county. Lib. RG 324.

CHAP. X.

An ACT to aſſeſs and levy on the taxable inhabitants of All-Hallows pariſh, in Worceſter co a quantity not exceeding forty-five thouſand pounds of tobacco for the purpoſe of erecting a c of eaſe in the ſaid pariſh. Lib. RG. fol. 325.

CHAP. XI.

An ACT for building a new church in the city of Annapolis, Saint-Anne's pariſh. Lib. RG. fol. 326.

Supplementary acts 1785, ch. 44, May, 1788, ch. 16, 1790, ch. 47, November, 1792, ch.

Preamble.

WHEREAS the church in the city of Annapolis is too ſmall, inconvenient, and in a ru ſtate, and many people have already ſubſcribed large ſums of money, amounting togeth two thouſand five hundred pounds common money and upwards, and others are ſtill expected to ſcribe further ſums, ſo as to raiſe the ſaid ſubſcription in the whole to three thouſand pounds mon money, under an expectation that a tax ſhould be impoſed by the general aſſembly on the ta inhabitants of Saint-Anne's pariſh, ſufficient to raiſe one thouſand pounds common money, an that the general aſſembly would grant a ſum of public money, the whole to be applied in erec building and finiſhing a large, commodious and elegant church, with a ſteeple thereto, to cove ſpot where the ſaid old church now ſtands.

Truſtees appointed, &c.

II. BE IT THEREFORE ENACTED, *by the right honourable the Lord Proprietary, by and with the and conſent of his Governor, and the Upper and Lower Houſes of Aſſembly, and the authority of the ſame*, the honourable John Ridout, Eſquire, Samuel Chaſe and William Paca, Eſquires, doctor Upton and Mr. Thomas Hyde, ſhall be and are hereby appointed truſtees for the purpoſe of buildin ſaid new church, and they, or the major part of them, are hereby empowered to ſet up and ex to ſale, to the higheſt bidder, all the materials of the ſaid old church, (except ſuch parts there any, as have been ſet up by private people,) or to cauſe the ſaid old church to be pulled down the materials thereof, or ſuch of them as they may think proper, to uſe and apply in buildin ſaid new church; and the ſaid truſtees, or the major part of them, are alſo empowered, as ſo conveniently may be, to cauſe a new and commodious church, the centre whereof ſhall be i ſame place or point where the centre of the now church is, and a ſteeple thereto to be erected, and finiſhed, in the beſt manner that the ſame can be done for the money ſubſcribed, grante raiſed, by virtue of this act; and the ſaid truſtees, or the major part of them, are hereby fully pow

red, in their diſcretion, to agree for the ſaid work with a contractor or contractors for the entire, or in parcels, or to purchaſe materials and hire workmen and labourers to do the ſaid as to them ſhall ſeem beſt.

Who ſhall receive monies, &c.

AND BE IT FURTHER ENACTED, That the truſtees aforeſaid, or the major part of them, ſhall ay receive all monies already ſubſcribed, or hereafter to be ſubſcribed, to or for the purpoſe ilding the ſaid new church, and if any ſubſcriber ſhall neglect or refuſe to pay his ſubſcription , the ſaid truſtees, or the major part of them, are hereby authoriſed and required to ſue for ecover the ſame, in an action of treſpaſs upon the caſe, in which it ſhall be ſufficient to declare e money ſubſcribed as for ſo much money had and received by the defendant for the uſe of the iffs. (a)

(a) By 1785, ch. 44, the truſtees were directed to proceed in the execution of their truſt, and to call on all perſons who had rials of the old church; they were likewiſe directed to open a new ſubſcription, and not to collect from the former one. By 1788, ch. 16, the treaſurer was directed to pay for materials uſed by the ſtate, and a ſummary mode of recovery was againſt individuals who had uſed ſuch materials, and alſo to recover the new ſubſcriptions. By 1790, ch. 47, another ription was to be opened by perſons therein appointed, who were directed to finiſh the church; the perſons ſubſcribing to titled to all the privileges of former ſubſcribers. By November, 1792, the truſtees were directed to give notice, and pro- in the choice of pews, &c.

Juſtices to levy tobacco, &c.

AND BE IT ENACTED, That the juſtices of Anne-Arundel county court for the time being ſhall, ey are hereby required, at the time of laying their county levy in the years ſeventeen hundred eventy-four and ſeventeen hundred and ſeventy-five, to aſſeſs and levy on the taxable inhabitants nt-Anne's pariſh, by two equal aſſeſſments, one hundred and ſixty thouſand pounds of tobacco, e ſheriff's ſalary of five *per cent.* for collection; and the ſheriff of the ſaid county ſhall and he is authoriſed and required to collect and receive the ſaid aſſeſſments, in the ſame manner, and at me rate, as the county levy, and the inhabitants of the ſaid pariſh may pay the ſame in money, ſame rate as the county levy; and the ſaid ſheriff and his ſureties ſhall be anſwerable for and e ſame to the truſtees aforeſaid, or the major part of them, or their order, at any time after he llected, or by law ought to have collected the ſame, and if the ſaid ſheriff ſhall neglect or refuſe ſuch aſſeſſments, the ſaid truſtees, or the major part of them, are hereby authoriſed and re- to ſue for and recover the ſame from the ſaid ſheriff or his ſureties, or his or their executors or ſtrators reſpectively, in an action of treſpaſs upon the caſe, in which it ſhall be ſufficient to de- or ſo much money or tobacco had and received by the defendant for the uſe of the plaintiffs.

Commiſſioners to pay, &c.

AND BE IT FURTHER ENACTED, That the commiſſioners for emitting bills of credit ſhall, as n may require, number and ſign bills of credit, of the eighty thouſand dollars by the act, en- An act for emitting bills of credit, and applying part thereof, appropriated to the purpoſes in ne act particularly mentioned, and to ſuch other purpoſes as ſhould be appointed by act of the l aſſembly, to the amount of four thouſand dollars, and the ſame bills of credit ſhall iſſue, pay liver, to the ſaid truſtees, or the major part of them, or their order or orders; and the ſaid s, or the major part of them, ſhall apply, lay out and expend, all monies which ſhall come to ands in virtue of this act, in and for the purpoſes aforeſaid.

Pews, how to be diſpoſed of, &c.

AND BE IT FURTHER ENACTED, That in the ſaid church a pew ſhall be built and finiſhed for vernor or commander in chief of this province for the time being, with ſuitable ornaments and tions, and next to the governor's pew, one large pew ſhall be erected and finiſhed for the rs of the upper houſe of aſſembly, and on the contrary ſide of the Iſle, oppoſite the gover- ew, there ſhall be a pew erected and finiſhed for the ſpeaker for the time being of the lower of aſſembly, with ſuitable ornaments and decorations, and on the ſame ſide of the iſle as the r's pew, and adjoining thereto, other pews ſhall be erected and finiſhed for the other members lower houſe of aſſembly, and on the ſame ſide of the iſle as the pews for the members of the houſe of aſſembly, and adjoining thereto, one large pew ſhall be erected and finiſhed for the of the provincial court, and one other large pew alſo adjoining to the judges pew, for ſtrangers, ſaid pew for the governor, and thoſe for the members of the upper and lower houſes of aſſem- at for the judges of the provincial court, and that for ſtrangers, ſhall be in an airy and agree- art of the church, and as commodious as may be, and after the ſaid church ſhall be finiſhed, ſtees aforeſaid ſhall aſſign one commodious pew for the uſe of the incumbent of Saint-Anne's aforeſaid for the time being, one other for the churchwardens of the ſaid pariſh for the time and two other pews in ſome convenient part of the church for the jurymen who ſhall from time attend the provincial court; and, after the ſaid pews ſhall be aſſigned as aforeſaid, and our weeks notice in the Maryland Gazette of a particular and convenient day for the ſub- to chooſe their pews, the ſaid ſubſcribers ſhall be admitted to chooſe each a pew in the ſaid the ſubſcriber of the greateſt ſum of money having the firſt choice, and ſo of the reſt, each

being

CHAP. XI.

being preferred in the choice according to the ſum of his or her ſubſcription, but if divers pe ſhall have ſubſcribed like ſums, then the priority of choice ſhall be determined by lot, and i ſubſcriber ſhall not be preſent, or refuſe to chooſe in turn, the truſtees aforeſaid, or the major of them, may chooſe for him or her, of which ſaid choices entries ſhall be made in the regiſter of the ſaid pariſh, and the ſaid pews ſhall be to the ſaid ſubſcribers reſpectively in fee-ſimple.

Proviſo.

VII. PROVIDED ALWAYS, That no ſubſcriber, as ſuch, ſhall be entitled to a pew, unleſs h her ſubſcription amounts to twenty pounds or upwards, nor ſhall any ſubſcriber have any prefe in choice, unleſs his or her ſubſcription ſhall be made at one and the ſame time entire, and ſha ceed the ſubſcription of the other ſubſcribers, of whom he or ſhe claims a preference, five poun the leaſt.

Proviſo.

VIII. PROVIDED ALSO, AND BE IT ENACTED, That no perſon whatſoever ſhall at one and ſame time, in any manner, hold or have more than one pew in the ſaid church.

Pews to be ſold, &c.

IX. AND BE IT ENACTED, That after the ſubſcribers ſhall have their pews as aforeſaid, the tees aforeſaid, or the major part of them, ſhall ſet up and expoſe to ſale to the ſaid pariſhione the ſaid pariſh, and none others, the reſidue of the pews in the ſaid church, and the ſaid tru ſhall allow to ſuch purchaſer the amount of his taxables in the purchaſe money, and ſhall app money ariſing from ſuch ſales in and for the purpoſes aforeſaid, the ſaid truſtees taking care there be twenty pews at leaſt for ſale as aforeſaid.

A gallery to be erected, &c.

X. AND BE IT ENACTED, That there ſhall be, over and above the pews aforeſaid, a commo lery or place for any of the pariſhioners who may occaſionally come to the ſaid church, and ſome convenient place ſet apart for ſervants, and another for ſlaves, that may attend divine vice.

CHAP. XII.

Paſſed 19th of April, 1774.

A Supplement to the act (a) to unite the free-ſchools of Somerſet Worceſter counties. Lib. RG. fol. 329.

(a) September, 1770, ch. 12.

Preamble.

WHEREAS it is repreſented to this preſent general aſſembly, by the viſitors of Eden ſchoo Somerſet county, that they have purchaſed lands, erected buildings, and procured ma for ſaid ſchool, but have found it, by experience, extremely difficult to procure a majority of viſitors to tranſact the buſineſs of ſaid ſchool, either at their ſtated or occaſional meetings, and ing that an act might paſs, enabling any ſeven of the viſitors of ſaid ſchool to tranſact any bu relative thereto;

Seven viſitors may act.

II. BE IT THEREFORE ENACTED, *by the right honourable the Lord Proprietary, by and with the advic conſent of his Governor, and the Upper and Lower Houſes of Aſſembly, and the authority of the ſame,* any ſeven of the viſitors of the ſaid ſchool, now or hereafter to be choſen, who ſhall attend at ſtated or occaſional meetings, ſhall and are hereby enabled to proceed in the tranſacting or ne ating any buſineſs relative to ſaid ſchool, as fully and amply, to all intents and purpoſes, as if were a majority of the whole number then preſent, any law or uſage to the contrary not ſtanding.

CHAP. XIII.

An ACT for ſuſpending the power of the commiſſioners for building a court-houſe and priſon in ford county. Lib. RG. fol. 330.

Continued by February, 1777, ch. 17, until the end of the next ſeſſion. Continued for ſix months, &c. by June, 1777, for three years, &c. by March, 1778, ch. 6, and by May, 1781, ch. 29, until the end of the next ſeſſion. Expired.

CHAP. XIV.

An ACT to unite the free-ſchools of Saint-Mary's, Charles Prince-George's counties. Lib. RG. fol. 330.

Supplements October, 1777, ch. 3, November, 1783, ch. 19, 1798, ch. 92.

Preamble.

WHEREAS it is repreſented to this general aſſembly, by ſundry the inhabitants of Saint ry's, Charles and Prince-George's counties, that the free-ſchools in the ſaid counties d ſeparately afford a ſufficient encouragement for proper maſters, and that, in order to have the and houſes of the ſaid ſchools ſold, and one ſchool erected at the place commonly called the Spr

CHAP. XIV.

ings, in Saint-Mary's county, and the funds conſolidated into one; and, to further the completion ſo laudable an inſtitution, ſundry perſons have ſubſcribed large ſums of money, and have prayed an act might paſs for that purpoſe;

A ſchool to be erected, &c.

I. BE IT ENACTED, *by the right honourable the Lord Proprietary, by and with the advice and conſent of his Governor, and the Upper and Lower Houſes of Aſſembly, and the authority of the ſame*, That as ſoon as be after the end of this preſent ſeſſion of aſſembly, there ſhall be erected one ſchool for the ſaid ties of Saint-Mary's, Charles and Prince-George's, at the place aforeſaid, called the Cool ings, in Saint-Mary's county, which ſhall be called by the name of Charlotte-Hall. (a)

(a) By 1798, ch. 92, Calvert county is entitled to have ſeven truſtees for the management of Charlotte-Hall ſchool. The free-ool lands of that county had been before directed to be ſold by October, 1778, ch. 16.

To be governed by a preſident, &c.

II. AND BE IT ENACTED, That the ſaid ſchool ſhall be governed by a preſident and twenty-one ees, ſeven of whom to be reſidents of each of the ſaid counties, and that for the preſent, his ex-ency Robert Eden, Eſquire, or the governor or commander in chief of this province for the time , ſhall be preſident, and the honourable George Plater, Eſquire, the reverend Mr. George ndril, John Reeder, Thomas Bond, Richard Barnes, Philip Key and Henry Greenfield Sotho-for Saint-Mary's county, the honourable Richard Lee, the reverend Mr. Iſaac Campbell, iam Smallwood, Francis Ware, Joſias Hawkins, George Dent and doctor James Craig, for les county, and the honourable Benedict Calvert, the reverend Mr. Henry Addiſon, Joſias , Robert Tyler, Joſeph Sim, Thomas Contee and doctor Richard Brook, for Prince-George's ty, ſhall be truſtees for the ſaid ſchool, and ſhall qualify in the ſame manner, and be ſub-to the ſame penalties, and be inveſted with the ſame rights, privileges, powers and authorities, very intent and purpoſe, as the viſitors of the other county ſchools within this province, and ſhall ſucceſſion in like manner, ſo that every vacancy be filled up with a reſident of that county where-e ſaid vacancy may happen, that an equal number of truſtees reſiding in each county may be kept and any fifteen (b) or more of the ſaid truſtees, with or without the ſaid preſident, ſhall be and hereby empowered to meet at the ſaid ſchool, from time to time, and they, or the major part of , ſo met, may do any act, matter or thing, which the ſaid preſident and truſtees might do, any to the contrary thereof notwithſtanding.

(b) By October, 1777, ch. 3, the majority of any ſeven were empowered to tranſact any buſineſs which the whole might have ; and by November, 1783, the majority of any five are empowered in the ſame manner.

Equal dividends to be paid.

V. AND BE IT ENACTED, That of all duties, taxes and impoſitions, hereafter to be collected for uſe of the county ſchools within this province, there ſhall be paid, by the treaſurers of the tern and Eaſtern Shores, to the truſtees aforeſaid, or the major part of them, or their order, e equal dividends, by them to be applied and expended to and for the uſe and benefit of the ſaid ol, in like manner as the dividends due to the other county ſchools are by law directed to be ed.

Truſtees to receive ſubſcriptions, &c.

VI. AND, whereas for defraying part of the expence and charge of building the ſaid ſchool ſundry inhabitants of the ſaid counties of Saint-Mary's, Charles and Prince-George's, have ſubſcribed s ſums of money: And whereas there is a conſiderable ſum of money in the hands of the viſitors e ſaid ſchools, choſen under a former act of aſſembly, for the ſaid counties of Saint-Mary's, les and Prince-George's, BE IT ENACTED, That the truſtees conſtituted by this act, or the major of them, ſhall and they are hereby empowered to receive all monies by the ſaid perſons ſub-ed, and all monies in the hands of the viſitors choſen under the ſaid former law, and ſuch ſub-ers and viſitors are hereby directed to pay the monies in their hands, and their ſeveral ſubſcrip-, to the truſtees appointed by this act, and in caſe of neglect or refuſal to pay, the ſaid truſtees, e major part of them, may and they are hereby authoriſed to ſue for, recover and receive the in an action of treſpaſs on the caſe, in which it ſhall be ſufficient to declare for ſo much money nd received by the defendant for the uſe of the plaintiffs.

And make ſale of ſchools, &c.

VII. AND BE IT ENACTED, That the ſaid truſtees reſiding in each county, or the major part of are hereby authoriſed, empowered and required, to make ſale, by way of public vendue, of ſaid ſchools reſpectively of Saint-Mary's, Charles and Prince-George's counties, with the land to belonging, to the beſt and higheſt bidder, and convey the ſame, in fee-ſimple, to the pur-r or purchaſers, his or their heirs and aſſigns, for ever, and the money ariſing by the ſale there-s well as from ſubſcriptions, ſhall be applied to the uſe of the ſaid ſchool, any law to the con-notwithſtanding.

CHAP.

CHAP. XV.

Passed 19th of April, 1774.

An ACT for King William's school in Annapolis. Lib. RG. fol. 3

Goods, &c. may be accepted, &c.

BE IT ENACTED, *by the right honourable the Lord Proprietary, by and with the advice and consent of his Governor, and the Upper and Lower Houses of Assembly, and the authority of the same,* That person or persons whatsoever may give, grant, assign, convey or devise, any goods, chattels, la tenements, to the rectors, governors, trustees and visitors, of King William's school in Anna for the time being, and the said rectors, governors, trustees and visitors, may accept, take, and hold the same, to the use of the said school, to them and their successors, according to the to be given, granted, assigned, conveyed or devised, any thing to the contrary thereof notwith ing.

Proviso.

II. PROVIDED NEVERTHELESS, That the said rectors, governors, trustees and visitors, shall time hold more than the value of two hundred pounds sterling annual income, but that all grants, assignments, conveyances and devises, made to them when their annual income amou the value of two hundred pounds sterling money, shall be void.

Seven visitors may act.

III. AND BE IT ENACTED, *by the authority aforesaid,* That in case of absence of the rector said corporation, it shall be lawful for any number of the governors and visitors aforesaid, n than seven, on any especial occasion, to meet together, consult, direct and manage, the affairs said school, and execute the several powers and authorities with which the rectors, governors, tees and visitors, of King William school aforesaid, are vested, as well and effectually as the of them might do; and the orders, rules and directions, that in the absence of their rector sha a majority of the governors and visitors aforesaid, not less than seven, be made and given, sh of as good efficacy and force as if they were made and given by the whole of the members o corporation, any thing to the contrary thereof notwithstanding.

Register to give notice, &c.

IV. AND BE IT FURTHER ENACTED, *by the authority aforesaid,* That the register, or other of the said corporation, whose duty it shall be, or who shall, from time to time, undertake t notice to the members of the said corporation of any intended meeting or call of the said corpor shall do the same fully and fairly, giving speedy and early notice of the time and place of meet the corporation to every member thereof living in Annapolis, or leaving written notice there such member's abode, and also to every country member, that he shall know or be informed i in Annapolis, the like notice, if such member shall actually then be in Annapolis, under the p of twenty shillings for every omission in the premises, to be recovered before a single magistrate applied to the use of the said corporation.

CHAP. XVI.

An ACT for the relief of the poor in Talbot county. Lib. RG. fol. 333.

Repealed 1785, ch. 15, except as to the recovery of money collected in virtue thereof.

CHAP. XVII.

An ACT confirming the title of Lazarus Pumphrey to the land therein mentioned. Lib. RG 339. A Private Act.

CHAP. XVIII.

* 1735, ch. 16.

A Supplementary act to the act, entitled, * An act to prevent injuring harbours within this province, and for repealing the therein mentioned. Lib. RG. fol. 342.

Preamble.

WHEREAS the purposes of the above recited act have hitherto been rendered ineffectu reason that offences against the said act are generally committed by persons who are only porary residents within this province, and are not liable to be held to bail on any suit brought them for breach of the said act, and in case of recovery are not liable to pay the costs of suit remedy whereof for the future,

Special bail may be awarded, &c.

II. BE IT ENACTED, *by the right honourable the Lord Proprietary, by and with the advice and sent of his Governor, and the Upper and Lower Houses of Assembly, and the authority of the same,* That actions and prosecutions hereafter to be commenced against any person or persons for unlading or ing out any ballast contrary to the said act, it shall and may be lawful for the justices of the co which such action or prosecution shall be commenced, upon affidavit or other evidence of such o given to the satisfaction of such court, to award special bail, or security, as the case may re

n default of such bail or security to commit the offender to the custody of the sheriff until he put in such bail or security as is usual in other cases, any law or usage to the contrary notstanding. CHAP. XVIII.

AND BE IT FURTHER ENACTED, That if a verdict pass against such offender, judgment on fession or by default be rendered against him, the plaintiff or informer shall recover full costs. Plaintiff to recover costs, &c.

CHAP. XIX.

CT to empower the justices of Somerset and Worcester counties to levy on the taxable inhants of Coventry parish, in said counties, the quantity of thirty-two thousand pounds of tobacfor the uses therein mentioned. Lib. RG. fol. 343. Passed 19th of April, 1774.

CHAP. XX.

CT empowering John Done, sheriff of Worcester county, to execute for the public levy, unty-commissary's and attornies fees. Lib. RG. fol. 344. A Private Act.

CHAP. XXI.

ACT relating to the public roads in Anne-Arundel, Baltimore nd Frederick counties. Lib. RG. fol. 345.

HEREAS an improvement of the principal market roads in the said counties will render the intercourse and carriage between the parts of this province distant from navigation, and the from whence the produce of those parts are and may be most conveniently exported, much and cheaper, whereby trade will be increased, and the settlement, cultivation and improveof lands, will be encouraged and promoted; Preamble.

BE IT ENACTED, *by the right honourable the Lord Proprietary, by and with the advice and consent of his Governor, and the Upper and Lower Houses of Assembly, and the authority of the same*, That of the bills of credit to be emitted by virtue of the act, entitled, (a) An act for emitting f credit, and applying part thereof, and by the same act appropriated for loan to the inhabitants nne-Arundel county as such, not exceeding two thousand dollars, shall be and are hereby appro- d for loan to Anne-Arundel county; that part of the bills of credit to be emitted by virtue of me act, and by the said act appropriated for loan to the inhabitants of Baltimore county as such, ceeding ten thousand six hundred and sixty-six dollars and two third parts of a dollar, shall be re hereby appropriated for loan to Baltimore county; and that part of the bills of credit to be ed by virtue of the said act, and by the same act appropriated for loan to the inhabitants of Fre- county as such, not exceeding eight thousand dollars, shall be and are hereby appropriated for o Frederick county, and shall be laid out and expended in opening, streightening, widening, ring and putting in good order, the roads herein after mentioned; that is to say, the road lead- om the mouth of Conococheague creek to Frederick-town, crossing the South mountain at the ommonly called Turner's gap, the road from Hagar's-town to intersect the said road at or near estern side of the South mountain; the road from Frederick-town leading by Dowden's to ge-town; a road from the mouth of Watts's branch to George-town aforesaid; the road from rick-town leading over Rue's ford on Monococy, and crossing Patuxent river at Green's bridge, napolis; the road from Frederick-town leading over the said ford on Monococy, and crossing sco at or near Hood's mill to Baltimore-town; a road leading from the Catoctin mountain gh the Pipe creek settlement by Royster's to Baltimore-town aforesaid; the road from Balti- town to the province line in a streight direction to York; the road from Royster's, Hanover, as the province line. Bills of credit appropriated to be laid out, &c.

(a) November, 1773, ch. 26.

AND BE IT ENACTED, That the said roads above Frederick-town shall be in one district, where- drew Rench, Jacob Sharah and George Swingle, shall be supervisors, and on the same roads housand of the said dollars before appropriated for loan to Frederick county, or such part there- may be necessary, shall and may be expended; that part of the same road from Frederick-town orge-town, lying between Frederick-town and Seneca, shall be in one district, whereof Charles h, John Beall and Henry Fout, shall be supervisors, and whereon twelve hundred of the said before appropriated for loan to Frederick county, or such part thereof as may be necessary, nd may be expended; and that the residue of the same road, and also that leading from the of Watts's branch to George-town, shall be in one other district, whereof Jacob Funk, Thohns and Joseph West, shall be supervisors, and whereon two thousand of the said dollars beppropriated for loan to Frederick county, or such part thereof as may be necessary, shall and Districts ascertained, &c.

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may be expended; that ſuch parts of the ſaid roads leading from Frederick-town to Annapoli from Frederick-town to Baltimore-town, as are or ſhall be in Frederick county, ſhall be in one diſtrict, whereof Peter Hoffman, Thomas Beatty and Henry Griffith, junior, ſhall be ſuper and on the ſaid parts of the ſame roads one thouſand eight hundred of the ſaid dollars before priated for loan for Frederick county, or ſuch part thereof as may be neceſſary, ſhall and may pended; that ſuch part of the ſaid road leading from the Catoctin mountain through the Pipe ſettlement to Baltimore-town, as is or ſhall be in Frederick county, ſhall be in one diſtrict, w Normand Bruce, David Shriver and Benjamin Ogle, ſhall be ſupervifors, and whereon one th of the ſaid dollars ſo appropriated for loan to Frederick county, or ſuch part thereof as m neceſſary, ſhall and may be expended; that ſuch part of the ſaid road leading from Frederick-t Baltimore-town, as is or ſhall be in Anne-Arundel county, and alſo ſuch part of the ſaid road l from Frederick-town to Annapolis, as lies between the branch of Patuxent on which Green's ſtands and Annapolis, ſhall be in one diſtrict, whereof Henry Ridgely, Thomas Dorſey, ſenio John Hood, junior, ſhall be ſupervifors, and whereon the money before appropriated for l Anne-Arundel county, or ſuch part thereof as may be neceſſary, ſhall and may be expended road leading from Baltimore-town to Frederick-town, by or near Hood's mill, which ſhall be timore county, ſhall be in one diſtrict, whereof Iſaac Grieſt, Zachariah Maccubbin, ſenio Benjamin Wells, ſenior, ſhall be ſupervifors, and whereon ſixteen hundred of the ſaid dollars appropriated for loan for Baltimore county, or ſuch part thereof as may be neceſſary, ſhall a be expended; that ſuch part of the ſaid road as leads from Baltimore-town to the province lin ſtreight direction to York, ſhall be in one other diſtrict, whereof Benjamin Griffith, James G and Nicholas Merryman, ſhall be ſupervifors, and on the ſaid part of the ſame road four thou the ſaid dollars before appropriated for loan to Baltimore county, or ſuch part thereof as may ceſſary, ſhall be expended; the road leading from Baltimore-town to Royſter's, ſhall be i other diſtrict, whereof Alexander Wells, Samuel Owings, junior, and Jeſſe Hollingſworth, be ſupervifors, and on the ſaid part of the ſame road twenty-four hundred of the ſaid dollars appropriated for loan to Baltimore county, or ſuch part thereof as may be neceſſary, ſhall a be expended; the road leading from Royſter's towards Hanover, as far as the provincial line be in one other diſtrict, whereof Richard Richards, Samuel Worthington and Nathan Cro ſhall be ſupervifors, and on the ſaid part of the ſame road ſixteen hundred dollars before appro for loan to Baltimore county, or ſuch part thereof as may be neceſſary, ſhall and may be expe that ſuch part of the road leading from Royſter's, through the Pipe creek ſettlement to the C mountain, as ſhall be in Balimore county, ſhall be in one other diſtrict, whereof doctor John dock, Mordecai Hammond and Chriſtopher Owings, ſhall be ſupervifors, and on the ſaid part ſame road, one thouſand ſixty-ſix dollars and two third parts of a dollar of the ſaid dollars befo propriated for loan to Baltimore county, or ſuch part thereof as may be neceſſary, ſhall and m expended.

Supervifors to ſtreighten the roads, &c.

IV. AND BE IT FURTHER ENACTED, That the ſaid ſupervifors, or any two of them, in reſpective diſtricts aforeſaid, are hereby empowered to ſtreighten, or otherwiſe change the ſaid in ſuch places and manner as to them ſhall appear moſt convenient for carriage, not going through any building, yard, garden or orchard, without the licence and conſent of the proprieto poſſeſſor thereof; and the ſaid ſupervifors, or any two of them, in their reſpective diſtricts afor may and ſhall cauſe all the ſaid roads, ſo to be made and continued public roads by virtue of thi to be well cleared, grubbed and ſtoned, forty feet wide, except the ſaid road leading to Anna which ſhall be cleared, grubbed and ſtoned, as aforeſaid, thirty feet wide, and ſhall cauſe nec bridges and cauſeways to be made, and convenient trenches and ditches to be cut for drainin leading off the water from the ſaid roads, and ſhall alſo cauſe large poſts to be well ſet up, i middle of the ſaid road, from Watts's branch to George-town, or until it interſects the ſaid leading from Frederick-town to George-town, in ſight of, and not exceeding one hundred yard tance from, each other.

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V. PROVIDED ALWAYS, AND BE IT ENACTED, That if the ſaid ſupervifors, or any two of ſhall deem it neceſſary, and that it would greatly conduce to leſſening the diſtance, that the ſhould paſs through any improved ground in their reſpective diſtricts, (buildings, yards, garden orchards, excepted,) in ſuch caſe the ſame ſupervifors, or any two of them, may agree wit owners for the purchaſe of forty feet or thirty feet in breadth, as the caſe may require, throug ſame, not exceeding the rate of ſixty dollars per mile; and in caſe the owner or owners of ſuch ſhall refuſe to make ſale thereof, at a reaſonable price, or lie under any diſability of making ſuch then the ſaid ſupervifors, or any two of them, may, and they are hereby authoriſed and require iſſue their warrant to the ſheriff of their county, commanding him to ſummon and return a ju

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ſt and moſt ſubſtantial freeholders, not leſs than twelve, inhabitants of the ſaid county, to be ppear before the ſaid ſupervifors on the premiſes, at a certain day in the ſaid warrant expreſſed, jury, upon their oath, to be adminiſtered by any one of the ſaid ſupervifors, who is hereby ſed to adminiſter the ſame, ſhall inquire who is or are the owner or owners of the land, and damages ſuch owner or owners will ſuſtain by occaſion of carrying the ſaid road through ſuch ed ground; and the ſaid ſupervifors ſhall return the inqueſt of the jury, or a certificate of the to be paid by agreement, to the juſtices of their county, who ſhall aſſeſs and levy the money to be paid, or by the jurors aſſeſſed, at the time of laying their next county levy, on the tax- habitants of their county, to and for the uſe of the owner of the ſaid land, together with the 's ſalary of five *per cent.* for collection; which ſaid aſſeſſment the ſheriff ſhall collect and levy ſame manner, and at the ſame rate, as the county levy may by law be collected, and may be nd diſcharged at the ſame rate, in money, as the county levy; and the ſaid ſheriff ſhall be an- ble for, and pay the ſame to, the owner and owners of ſuch land.

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PROVIDED ALWAYS, AND BE IT ENACTED, That where by agreement and conſent, or other- any of the ſaid roads ſhall be carried in other places than they now paſs, through fields and ds in actual cultivation, that ſuch field or grounds ſhall not be laid open or uſed as a public till after the uſual time of taking off and ſecuring the crop, then growing thereon; and to ena- e ſaid ſupervifors to accompliſh the ſaid work, they, or any two of them, are hereby empow- in and for their reſpective diſtrict aforeſaid, after they ſhall have carefully ſurveyed the ſaid and agreed on the neceſſary alterations therein, either to employ labourers to do the ſaid work, contract with others to do the work aforeſaid, on convenient parts of the ſaid roads; and the viſors of the reſpective diſtricts aforeſaid, or any two of them, are alſo empowered, at any time s before the firſt day of January next, to draw their order or orders on the commiſſioners for g bills of credit for the money herein before directed to be expended in their reſpective diſtrict, part thereof as may be neceſſary, and the ſame to diſpoſe of and expend in and towards the ry expences of the work aforeſaid, and the commiſſioners aforeſaid ſhall pay the ſame, and with charge the county to which the ſame ſhall be ſo lent.

Timber may be uſed, &c.

AND BE IT ENACTED, That the ſupervifors aforeſaid, or any of them, or any perſon con- g with them, or any two of them, or by them, or any two of them, in any manner employed or doing the ſaid work, may reſpectively uſe ſuch timber and materials in and for doing the ſaid as overſeers of public roads or highways may or might by law uſe the ſame; and if any ſuper- or any perſon contracting with them, or any two of them, or by them, or any two of them, manner employed in and for doing the ſaid work, ſhall be ſued or impleaded for any thing done ſuance of this act, he may plead the general iſſue, and give this act and the ſpecial matter in ce in juſtification.

How vacancies are to be filled.

AND BE IT FURTHER ENACTED, That if any one of the ſaid ſupervifors ſhall happen to die the work aforeſaid ſhall be accompliſhed, or ſhall refuſe to act, the two other ſupervifors of e diſtrict ſhall and may appoint another perſon in his ſtead; and if the ſupervifors for any diſ- or any two of them, ſhall refuſe to act, then any three of the juſtices of the peace for the in which ſuch diſtrict ſhall be, ſhall and may, by warrant under their hands and ſeals, appoint or two other perſons, as the caſe may require, in their ſtead.

Account to be rendered, &c.

AND BE IT ALSO ENACTED, That the ſupervifors aforeſaid ſhall render to the general aſſembly ſeſſion next after the expenditure of any of the ſaid monies, and alſo to the county court which e held for their reſpective county, a true, full and fair account of all monies by them reſpec- laid out and expended by virtue of this act, and to whom and for what the ſame ſhall have aid and expended.

Tobacco to be levied, &c.

AND, for the repayment of the ſaid bills of credit ſo to be lent and iſſued to the ſaid counties, r with intereſt thereon at the rate of four *per cent.* by the year, BE IT ENACTED, That each very of the taxable inhabitants of the ſaid counties reſpectively ſhall, until the whole of the credit ſo to be lent and iſſued to their ſaid reſpective county, with intereſt thereon as afore- nd alſo the ſheriff's ſalary of five *per cent.* for collection thereof, are fully raiſed on the ſame yearly, and every year, pay to the ſheriff of their reſpective county four pounds of tobacco Arundel county, twelve pounds of tobacco in Baltimore county, and eight pounds of tobacco erick county, in tobacco or money, within the times and in the manner that the public and levies are payable, the firſt of which payments to be made in the year ſeventeen hundred and five; and the ſheriffs aforeſaid may and ſhall collect and levy of and from the taxable inhabi-

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tants of their reſpective counties, diſtrain and execute for the ſame, in like manner as they m
lect and levy, diſtrain and execute, for the public or county levy; and each of the ſaid ſheriff
after deducting his commiſſion for collection, pay what money ſhall remain of the ſaid tax in
ſpective county for each reſpective year, to the commiſſioners aforeſaid, on or before the firſt
October in each year, which payments ſhall be placed by the commiſſioners aforeſaid to the cr
ſuch county, in the firſt place to ſink the intereſt due on the money drawn out in virtue
act by ſuch county, and in the next place towards the diſcharge of the principal, ſo far
ſame will extend; and when the whole of the principal lent to any of the ſaid counties
paid in, with intereſt as aforeſaid, the ſaid commiſſioners ſhall thereof give notice to the
of the reſpective county, and then there ſhall be no further year's tax by virtue of this act
county.

Sheriffs bonds may be ſued, &c.

XI. AND BE IT ENACTED, That if either of the ſaid ſheriffs ſhall not make ſuch payment
the time limitted, the commiſſioners aforeſaid ſhall and may, within thirty days thereafter, pr
a writ of *ſcire facias* againſt him and his ſureties on his office bond, in like manner as they ma
bonds taken by them on the loan of money, and ſhall recover the like judgment and have
execution, and on ſuch proceedings the ſame ſheriff ſhall be chargeable with and pay intereſt,
rate of four *per cent.* by the year, from the time he ought to have paid the money aforeſaid,
ſhall actually pay the ſame.

Tobacco paid to be ſold, &c.

XII. AND BE IT FURTHER ENACTED, That if any of the taxable inhabitants aforeſaid ſh
the ſaid tax in tobacco, then the ſheriff who receives the ſame ſhall, on the ſecond day of
court next thereafter for his county, ſell the ſame in open court for the benefit of his coun
ſhall in his account with the ſaid county be allowed yearly for all inſolvent taxes in his county
whom the ſaid tax cannot be collected, as well as for thoſe taxes who actually pay in tobac
ſhall be charged and chargeable in the ſame account with the price for which the tobacco a
ſhall be ſold by him, and ſhall at the November court next after his laſt collection, account
pay to the juſtices of his county, for the uſe of the ſaid county, the ſurplus of the ſaid tax
ing after payment of the principal and intereſt as aforeſaid.

Roads declared public roads, &c.

XIII. AND BE IT ENACTED, That after the ſaid roads ſhall be finiſhed as aforeſaid, they
and are hereby declared public roads, and no waggon or other carriage of burthen, the tread
of the wheels whereof doth not exceed five inches, ſhall, under any pretence whatſoever, be
upon any of that part of the ſaid road leading from Watts's branch which ſhall lie to the nor
of the poſts aforeſaid, unleſs barely and neceſſarily to croſs the ſame, under the penalty of
ſhillings current money for every offence, to be levied by diſtreſs to be made of any one of th
uſed for drawing the ſaid waggon or other carriage, within twenty-four hours after the offenc
mitted, by any freeholder within the county where the offence ſhall be committed who will
for the ſame, for his own uſe, and ſale of ſuch beaſt at any time not leſs than three or mo
ſeven days after ſuch diſtreſs made, and if any perſon ſhall be beat or aſſaulted for makin
tempting to make, any ſuch diſtreſs, or aſſiſting to do the ſame, the offence for which diſtreſs
made having been actually committed, every perſon being guilty of ſuch beating or aſſault,
liable to the action of the party beaten or aſſaulted, in which ſhall be recovered, if the ſa
be brought in debt on this act, twenty pounds current money, beſides ſuch damages as ſhall be
by the jury who ſhall try the ſame, with full coſts, to and for the uſe of the party beate
ſaulted.

Overſeer to repair the roads, &c.

XIV. AND, whereas the other public roads in the ſaid counties of Anne-Arundel and Fr
are very much out of order, and in the preſent method of amending and repairing them the
of the little labour performed thereon falls very unequally on the people; for remedy where
alſo to provide for keeping the public roads in the ſaid counties in repair, BE IT ENACTED, T
overſeer of the public roads, together with the taxable inhabitants of the reſpective hundred
ſame counties, ſhall at proper ſeaſons in every year, for ſeven years next enſuing, and until
of the next ſeſſion of aſſembly which ſhall happen after the end of the ſaid ſeven years, uſe th
deavours for the repair of the ſaid roads, and ſhall be chargeable to labour and work thereon
days as ſhall be neceſſary, not exceeding ſix days in any one year; and every ſuch taxable inh
ſhall have and bring with him a ſpade, ſhovel, pick, mattock, grubbing hoe, hilling hoe, cr
or ſledge hammer, or inſtead thereof, if particularly required, an axe, and ſhall diligently
the work and labour to which he ſhall be appointed by the overſeer aforeſaid, for eight hours
of the ſaid days, with the ſaid tools.

XV. Pro

PROVIDED ALWAYS, That any ſuch taxable inhabitant as aforeſaid, or any perſon chargeable ... male taxable, may employ and ſend an able and ſufficient labouring man in his ſtead, or the ... of any male taxable for whom he is chargeable, and ſhall be obliged to ſend one able and ſuffi... labouring man in the ſtead of each female negro taxable for whom he ſhall be chargeable. Proviſo.

VI. AND BE IT FURTHER ENACTED, That the overſeers aforeſaid ſhall fairly and impartially ... and employ the taxables within their reſpective hundreds in turn, and on the moſt convenient ... of the public roads; and where one and the ſame perſon ſhall have or be chargeable with more ... one tax, he or ſhe ſhall not be obliged to ſend more than one half of the whole number of his ... taxables in the ſame hundred, on the ſame day; and in conſideration of the extraordinary ...al trouble of the overſeers, all the taxables of each overſeer within the diſtrict of which he ... overſeer ſhall be exempt from labour or attendance on the public roads. Taxables to be employed in turn, &c.

VII. AND BE IT FURTHER ENACTED, That if any of the ſaid overſeers ſhall, after the firſt day ... next, voluntarily ſuffer any public road in his diſtrict to be out of repair by the ſpace of ten ... together, or ſhall neglect to clear and well grub any ſuch road, he ſhall incur the penalty in... by law on overſeers for neglecting to clear the roads, and the ſame penalty may be recovered ... any one juſtice of the peace of the county in which he reſides, one half thereof to the uſe of ...unty towards defraying the charge thereof, and the other half to the uſe of ſuch perſon who ...nform or warrant for the ſame. Penalty on overſeers for neglect, &c.

...any of the proviſions of this act were temporary, and are not now in force, but it is inſerted at large on account of the ...e roads which it eſtabliſhed, and of the balances which remain due under it to the ſtate.

CHAP. XXII.

...CT for the relief of certain languiſhing priſoners in the ſeveral gaols therein mentioned. Lib. ... fol. 349. A Private Act. Paſſed 19th of April, 1774.

CHAP. XXIII.

ACT for the regulating the gauging of caſks in the town of Baltimore. Lib. RG. fol. 354.

WHEREAS great abuſes are daily committed in the buying and ſelling of wine, rum, and other ... liquid merchandiſes, in diſproportionable caſks, in Baltimore-town, which have been uſually ...d by the diagonal, which is known not to be an exact rule to find the contents of a diſproportionable caſk, and the perſons ſelling ſuch commodities commonly refuſing to ſubmit to any other ...od or rule of gauging, the purchaſer is thereby impoſed upon, and often ſuffers great loſs in ... of juſt meaſure; for the redreſs of which abuſe for the future in the town aforeſaid, Preamble.

I. BE IT ENACTED, *by the right honourable the Lord Proprietary, by and with the advice and conſent of ...overnor, and the Upper and Lower Houſes of Aſſembly, and the authority of the ſame*, That if any ...hant or other perſon whatſoever ſhall ſell, or put to ſale, any butt, tun, pipe, hogſhead, barrel, ...her caſk of rum, wine, molaſſes, or other liquid merchandiſe, imported, brought into or made ...e ſaid town, before the gauger hereafter mentioned, or his deputy, ſhall have plainly and truly ...own or marked upon the head of ſuch veſſel the capacity and full contents of the ſame, accord... the ſtandard and exciſe of wine meaſure, by the gallon, each perſon or perſons ſhall forfeit, ...e uſes directed in this act, the ſum of eight pounds current money for every caſk ſo ſold or put ...le. Caſks, &c. to be gauged, &c.

II. AND BE IT ENACTED, That if any merchant or other perſon ſhall ſell, or put to ſale, any ... rum, wine, molaſſes, or other liquid merchandiſes, as aforeſaid, in the ſaid town of Baltimore, ...y caſk or veſſel having the number of gallons ſet down and marked on the head of ſuch veſſel, ...the ſame ſhall be found to lack of the contents marked on the ſaid veſſel, ſuch perſon ſhall forfeit ...ay, to the uſes directed in this act, the ſum of eight ſhillings current money for every gallon ...ed or numbered on the ſaid caſk more than it will truly contain. Penalty for ſelling caſks lacking meaſure, &c.

IV. AND, to the end that all perſons dealing in ſuch merchandiſe may the more eaſily and readily ...nformed and aſſiſted in diſcovering the true quantity of ſuch liquid merchandiſe, ſo imported, ...ght into, or made in the ſaid town, BE IT FURTHER ENACTED, That the perſon who ſhall be ap... ...ed gauger of wine, rum, molaſſes, and other liquid merchandiſes, in the town aforeſaid, by the ...miſſioners of Baltimore-town aforeſaid, for the time being, or the major part of them, which ...miſſioners, or the major part of them, are hereby empowered to appoint ſuch gauger, and him remove Gauger to be appointed, &c.

CHAP XXIII.

remove and another in his ſtead appoint, the ſaid gauger (before he enters upon his ſaid office, h taken an oath, or affirmation if a quaker, well and truly to execute the office of gauger in town between buyer and ſeller,) is hereby empowered by himſelf, or his proper deputy or aſſ to gauge all ſuch rum, wine, molaſſes, or other liquid merchandiſe, imported, brought, or put i butt, tun, pipe, hogſhead, barrel, or other caſk, in the ſaid town, when he the ſaid gauger, deputy, ſhall be thereunto required; and that they ſhall mark and ſet down the true number o lons, according to the Engliſh ſtandard and exciſe of wine meaſure, which each caſk or veſſe truly contain, with their own mark; all which caſks, with their true marks and numbers, and o names, ſhall be entered in a book or books to be kept for that purpoſe by the ſaid gauger, or hi per deputy, to which recourſe may be had as occaſion may require; for a copy of which entry ſhall receive three-pence common money, and for each caſk ſo by them gauged and marked they receive the ſum of four-pence common money, and no more; and if any caſk or other veſſel, g and marked by the ſaid gauger, or his lawful deputy, ſhall be found lacking one or more gallons quantity numbered or marked on the ſaid caſk or veſſel, the aforeſaid gauger ſhall forfeit eight ſhi current money for each gallon lacking or exceeding the number or mark ſo ſet down on each ca

Penalties, how to be recovered, &c.

V. AND BE IT FURTHER ENACTED, That all and every the penalties and forfeitures in and by act ſet and appointed, ſhall be applied, one half toward defraying the county charge, and the half to the informer, or him or them that will ſue or warrant for the ſame, if the ſaid penalti not exceed fifty ſhillings current money, to be recovered before one juſtice of the peace as in c ſmall debts, and if above fifty ſhillings, to be ſued for and recovered in any court of record w this province.

Duration.

VI. This act to continue three years, and to the end of the next ſeſſion of aſſembly which happen thereafter.

Continued for ſeven years, &c. by February, 1777, ch. 17, and by 1784, ch. 83, until the end of the next ſeſſion, by N ber, 1785, for ſeven years, &c. and by November, 1792, ch. 77, to 30th October, 1799, &c. By 1796, ch. 68, the powers by this and other acts are transferred to the corporation, and an ordinance has paſſed on the ſubject, but it does not embra the objects of this act, which is therefore inſerted at large.

CHAP. XXIV.

Paſſed 19th of April, 1774.

An ACT for the payment of the public creditors. Lib. RG. fol. 356.

CHAP. XXV.

An ACT requiring the juſtices of Somerſet county to appoint p ſons to lay out a road in ſaid county. Lib. RG. fol. 357.

Preamble.

WHEREAS it is repreſented to this general aſſembly, that the road leading to the free-ſc in Somerſet county is very inconvenient to the viſitors, ſcholars, and others, to g ſaid ſchool from Worceſter county, therefore pray an act may paſs for a road to be laid out from ſchool to Denſton's dams, through the foreſt, which will make ſaid road much more convenien the viſitors, ſcholars, &c.

An overſeer to be appointed, &c.

II. BE IT THEREFORE ENACTED, *by the right honourable the Lord Proprietary, by and with the a and conſent of his Governor, and the Upper and Lower Houſes of Aſſembly, and the authority of the ſ* That the juſtices of Somerſet county ſhall and they are hereby required, at their next court, to point an overſeer for, and cauſe to be laid out, well grubbed and cleared, a public road through foreſt, to interſect the main road leading from Princeſs-Anne to Snow-Hill at or near a place ca Denſton's dams, not running the ſame road through any improved or cultivated land without conſent of the owner or owners thereof, the ſaid road to be cleared, repaired and kept, in the ſa manner as other public roads are or have been cleared, repaired or kept in order.

CHAP. XXVI.

An ACT for the relief of Henry Gaſſaway. Lib. RG. fol. 358. A Private Act.

CHAP. XXVII.

An ACT to prevent the erecting of booths and ſale of liquors on holydays. Lib. RG. fol. 362.

For three years. Continued for ſeven years, &c. by February, 1777, ch. 17. Expired.

CHAP. XXVIII.

An ACT for the relief of inſolvent debtors. Lib. RG. fol. 364.

Supplements November, 1792, ch. 51, and 1797, ch. 117.

Perſons to petition, &c.

BE IT ENACTED, *by the right honourable the Lord Proprietary, by and with the advice and conſent of Governor, and the Upper and Lower Houſes of Aſſembly, and the authority of the ſame,* That if any P

who shall after the first day of October next be committed or charged in execution, or for want cial bail, at any time after he or she shall have actually remained in prison, by the space of y days on such commitment or charge, shall petition any three justices of the peace of the coun- herein such prisoner shall be detained as aforesaid, for his or her discharge, such justices shall upon appoint a time for their meeting, not less than thirty days, nor exceeding forty days there- at the court-house for said county or gaol in which he or she shall be so detained, for his or her rge, and their said appointment shall certify in writing to the sheriff in whose custody he or she e; and the same sheriff shall, twenty days at the least before the time appointed for the said ng, affix one copy of the said certificate at the door of the county clerk's office, and another hereof at the prison door of his county; at which said day so to be appointed, the said justices, o of them, as well as the sheriff, are required to attend at the court-house or prison aforesaid, he sheriff shall produce the body of such prisoner before the justices who shall attend, and also known to the same justices the cause or causes of his or her imprisonment, and the time he or th been actually imprisoned under such commitment as aforesaid; and if it shall appear to the stices who shall attend, that such person hath been actually imprisoned as aforesaid, and it doth pear to them, or any two of them, from the cause or causes of his or her imprisonment, or by legation upon oath of the creditors, or some of the creditors of the said prisoner, that the of the debts due and owing from him or her amount together to two hundred pounds sterling , or the value thereof, then such prisoner may deliver to the said sheriff a schedule of his or hole estate, debts and credits, and also deliver to the said justices attending a duplicate thereof, schedule and duplicate shall be subscribed by such prisoner before the same justices, who shall o subscribe as witnesses; and the same justices, or any two of them, shall thereupon, at the re- of such prisoner, administer to him or her the following oath, or affirmation if a quaker; that ay, "I, A. B. do affirm, or solemnly swear, that the schedule which I have delivered to the riff of ——— county, doth contain a full account, to the best of my knowledge and remem- ice, of my whole estate both real and personal, or that I have any title to, or interest in, and ll debts, credits and effects whatsoever, which I, or any in trust for me, have, or at the time y petition had, or am, or was in any respect entitled to, in possession, remainder, or rever- ; and that I have not, directly or indirectly, at any time since my imprisonment, or before, leased, or otherwise conveyed, disposed of, or intrusted, all or any part of my estate, goods, s, money or debts, thereby to defraud my creditors, or to secure the same to receive or expect profit or advantage thereof; so help me GOD;" which said duplicate shall be by the said jus- transmitted to the clerk of their county court, to be by him preserved in his office, for the bet- ormation of the creditors of such prisoner.

Prisoners estates, &c. vested in the sheriff, &c.

AND BE IT ENACTED, That all the real and personal estate of such prisoner, either in possession, reversion, remainder, or in trust, for him or her, or in or unto which he or she has any claim ereſt whatsoever, or which in any manner may, can or might, be subjected to the payment or ction of creditors, and also all causes of action whatsoever of such prisoner, other than for ies on his person, or for slander, shall be vested in the sheriff aforesaid; (a) and such sheriff is authorised, empowered and required, to sell and convey the said lands, tenements and here- nts, for such estate, use, interest, right or title, as aforesaid, and also the said goods and chat- o any person or persons whatsoever, for the best price that can be got for the same, upon a sale, whereof notice shall be given by advertisement, set up at the court-house door, and other places of the county where such lands, tenements, hereditaments, goods or chattels, shall lie found, twenty days at least before such sale, and the balance of the money arising by such sale, deducting the sum of one shilling and four-pence current money for each day he shall keep such er in his gaol, and find him or her victuals, and also seven and an half *per cent.* for his trouble sale and conveyance of the prisoner's estate as aforesaid, shall apply in manner following; that ay, the produce of that part of the estate and interest of the said prisoner, upon which his or reditors, by judgments, if any, or any claiming, or who shall or may claim under them, who or shall have any lien by assignment of such judgment, or otherwise, shall pay in or towards sa- ion of the said creditors, according to the order and priority of their judgments, or their lien n, and the residue of the said balance shall pay and distribute among all the creditors of such er who shall apply therefor within thirty days after the aforesaid sale, in equal proportion to emands, early notice of such design being previously given by advertisements set up at the most places of the county where such debtor resides, and likewise in the Maryland Gazette; and heriff shall and may maintain an action, as assignee of such prisoner, in his own name, on and for

(a) By 1797, ch. 117, such estate, rights, &c. (where the trust is not fully executed,) are transferred to the succeeding sheriff, to complete the same; and the former sheriff, or his executors, are to account with such succeeding sheriff, who may, in thereof, bring an action in his own name against such sheriff or executors.

CHAP. XXVIII.

for any ſuch cauſe of action as aforeſaid; provided, that no judgment hereafter to be rendered any perſon applying to be diſcharged as aforeſaid, nor any proceſs thereon, ſhall create any the lands, goods or chattels, of ſuch perſon, whereby the creditor obtaining ſuch judgment may have any priority in the diſtribution of the money ariſing from the ſale of ſuch lands, g chattels, to be diſtributed as aforeſaid.

Proviſo.

III. PROVIDED ALWAYS, That before ſuch ſheriff ſhall be obliged to ſue in any ſuch actio creditor or creditors requiring the ſame ſhall give a bond to ſuch ſheriff, to indemnify him agai charge that may accrue to him by means of any ſuch ſuit, and in caſe of recovery and receipt debt or damages, then the ſaid ſheriff ſhall make diſtribution of what ſhall be recovered and rece the perſon or perſons giving him ſuch ſecurity, rateably and in proportion to their reſpective de ſaving to ſuch priſoner his or her neceſſary apparel and the utenſils of trade, not exceeding whole the value of five pounds current money, to be adjudged and aſcertained by the ſaid juſti

Proviſo.

IV. PROVIDED ALSO, That before any ſuit ſhall be brought by any ſheriff aforeſaid, notice given in the Maryland Gazette for four weeks ſucceſſively, in order that all the creditors of ſu ioner may have an opportunity, if they ſhall think fit, of joining in the requeſt aforeſaid indemnification of, the ſaid ſheriff, and thereby entitled to receive rateably what ſhall be rec and the time from diſcharge of ſuch priſoner as aforeſaid, till ſuch ſuit ſhall be brought, ſhall affected by any act for limitation of actions, provided ſuch ſuit be commenced within one ye the time of ſuch diſcharge; and the creditors, who ſhall apply and receive any ſum or ſums of of the ſheriff as aforeſaid, ſhall refund and pay rateably, to ſuch other creditors as ſhall apply ſame thereafter, the debt or debts due from ſuch priſoner to him, her or them, ſo that the ſa mentioned creditors may receive and be paid in equal proportion to his, her or their demand in caſe ſuch priſoner as aforeſaid ſhall be liable, on a future breach of a contract by him or he or entered into, before his or her diſcharge, the perſon or perſons who ſhall be entitled as a c or creditors of ſuch priſoner, under ſuch breach of contract, ſhall have and receive his or he faction rateably of the creditors, who ſhall have received the whole or a proportion of the de to them on ſuch diſtribution as aforeſaid; and, to prevent perſons who may be committed or c in execution, or for want of ſpecial bail, from lying in priſon until they have ſpent their ſub wherewith they ſhould ſatisfy their creditors, and afterwards taking the benefit of this act they have nothing left to deliver up to their creditors, no perſon who ſhall be ſo commi charged, from and after the expiration of this preſent ſeſſion of aſſembly, ſhall be allowed or ted to exhibit a petition for the purpoſe aforeſaid, unleſs ſuch petition ſhall be exhibited with days after his or her commitment, or be charged in execution, or for want of ſpecial bail.

Priſoners to be ſet at liberty, &c.

V. AND BE IT ENACTED, That after delivering in ſuch ſchedule and duplicate, and taki oath or affirmation, and tranſmiſſion as aforeſaid, the ſaid juſtices attending, or two of them, their order in writing, command the ſheriff forthwith to ſet at liberty ſuch priſoner, whic ſhall be ſufficient to diſcharge and indemnify ſuch ſheriff againſt any eſcape or action what which ſhall or may be brought or proſecuted againſt him by reaſon thereof; and if any action commenced againſt any ſheriff or juſtice for performing his duty in purſuance of this act, plead the general iſſue, and give this act and the ſpecial matter in evidence.

Proviſo.

VI. PROVIDED ALWAYS, That notwithſtanding ſuch diſcharge, it ſhall and may be lawful creditor or creditors, at whoſe ſuit ſuch inſolvent priſoner was impriſoned, at any time afterw ſue out a writ of *fieri facias*, or attachment, againſt any lands or tenements, goods or chattels, ſuch inſolvent perſon ſhall thereafter acquire or be poſſeſſed of, by deſcent, gift, deviſe, beq in a courſe of diſtribution, on any judgment obtained againſt ſuch priſoner, without previou ſecuting any writ of *ſcire facias*, whereby the balance only remaining due on ſuch judgme be levied.

To be diſcharged, &c.

VII. AND BE IT ENACTED, That if the ſaid priſoner ſhall be arreſted or impriſoned on any ſued out on any judgment or decree obtained againſt him or her, for any debt, damages or coſt tracted, owing or growing due, before his or her diſcharge as aforeſaid, the court out of whi proceſs iſſued ſhall and may diſcharge ſuch priſoner on motion; (b) and if the ſaid priſoner arreſted or impriſoned on any proceſs for the recovery of any debt, damages or coſts, contract ing or growing due, before his or her diſcharge as aforeſaid, the court or juſtice, before who proceſs ſhall be returned, ſhall and may diſcharge the party arreſted out of cuſtody, on his

(b) By November, 1792, ch. 51, the juſtices ſhall not relieve from confinement a perſon committed for any fine, for coſts of proſecution.

on appearance being entered, without any ſpecial bail; provided, that the diſcharge of the ſaid er ſhall not acquit any other perſon from ſuch debt, damage or coſt, or any part thereof, but ll ſuch perſons ſhall be anſwerable for the ſame, in ſuch manner as they were before the paſſing t.

II. PROVIDED ALWAYS, That in caſe any creditor or creditors of ſuch priſoner ſhall, on the Proviſo. ppointed for the diſcharge of the ſame priſoner, appear at the priſon or court-houſe aforeſaid, the ſaid juſtices, before the ſame priſoner is diſcharged, and ſhall allege that ſuch priſoner either directly or indirectly ſold, leſſened, or otherwiſe diſpoſed of, in truſt, or concealed, all part of his lands, money, goods, ſtock, debts, ſecurities, contracts or eſtate, whereby to ſe- the ſame, to receive or expect any profit or advantage thereof, or to deceive or defraud any or or creditors to whom ſuch priſoner is or ſhall be indebted, and ſhall alſo enter into a bond to riſoner in the penalty of fifty pounds current money, with ſuch ſurety or ſureties as the ſaid s, or any two of them, ſhall approve, conditioned to pay and ſatisfy all damages and coſts ſuch er ſhall ſuſtain or be put to by reaſon of ſuch creditor or creditors objecting againſt the ſaid er's diſcharge, and the ſame allegation being determined and adjudged againſt the ſaid obligor, all lodge the ſaid bond with the ſaid juſtices, then ſuch juſtices ſhall not grant any diſcharge of riſoner, but ſhall wholly ſtay any further proceeding in order thereto, and return the ſaid to their next county court the ſecond day of the ſitting thereof at fartheſt; and the juſtices county court aforeſaid ſhall and may hear and determine, in a ſummary way, ſuch allegation creditor or creditors aforeſaid, and if the ſame ſhall be determined by the ſaid court againſt riſoner, then the ſame priſoner ſhall have no aid or benefit of this act, and judgment ſhall gainſt him or her for coſts; but if the determination of the juſtices of the county court on llegation ſhall be againſt ſuch creditor or creditors, then the priſoner or priſoners aforeſaid by the ſaid court, be immediately diſcharged, on his or her making, ſubſcribing and delivering, en court, ſuch ſchedule and duplicate as aforeſaid, and there taking ſuch oath or affirmation as id; and all his or her eſtate ſhall thereupon be inveſted in the ſheriff, ſold and diſpoſed of, and d, as if he or ſhe had been diſcharged by the ſaid three juſtices, or any two of them; and it nd may be lawful for the ſaid juſtices of the county court to aſcertain and determine the *quan-* the damage, if any, that the priſoner hath ſuſtained, by reaſon of the falſe allegation of ſuch or or creditors, and thereupon adjudge the ſame with coſts to the priſoner, provided ſuch ges and coſts ſhall not exceed the penalty of the ſaid bond.

III. AND, to the end that the truth may be the better inquired into, IT IS ENACTED, That the Juſtices may s of the county court aforeſaid may, at ſuch time or times as they ſee proper, order the ſheriff order the ſhe- ng the body of any priſoner, againſt whoſe diſcharge ſuch objection ſhall be made as aforeſaid, riff, &c. the ſame court, and the ſame priſoner again remand to priſon, and may appoint ſuch time as hall ſee fit for the trial of the iſſue, to be joined as aforeſaid, which is hereby required to be as little delay as may be.

IV. AND BE IT THEREBY DECLARED AND ENACTED, That the damages and coſts, ſo to be recover- Damages, &c. any priſoner as aforeſaid, ſhall not be veſted in the ſheriff, or in anywiſe ſubjected to the bene- not to be veſted. any creditor or creditors.

V. AND BE IT ENACTED, That any perſon who ſhall take the oath or affirmation by this act di- Perſons con- , and ſhall upon indictment be convict of perjury, or of wilfully and corruptly affirming any victed to ſuffer, &c. r or thing therein contained, ſuch perſon ſhall ſuffer as in caſes of wilful and corrupt perjury, kewiſe be liable to be taken on proceſs *de novo*, and charged in execution for his or her debts, all never after have the benefit of this act.

VI. This act to commence on the firſt day of October next, and continue in force for three years Duration. that day, and to the end of the next ſeſſion of aſſembly which ſhall happen after the end of the hree years.

ntinued for three years, &c. by February, 1777, ch. 17, for ſeven years, &c. by March, 1780, ch. 21. Expired. Revived continued to the end of the next ſeſſion by May, 1788, ch. 10. By November, 1788, ch. 47, this act, and the act of May, , ch. 10, are continued till the end of the next ſeſſion. By 1789, ch. 59, the act of May, 1788, ch. 10, is continued to 30th ber, 1796, &c. and by ch. 60, this act is continued to 30th October, 1790, &c. By 1790, ch. 59, the continuing act of , ch. 60, is continued to 30th October, 1797, &c. By a general continuing act, 1797, ch. 116, it is further continued to 1ſt mber, 1798, &c. and by 1798, ch. 71, this act is continued with its ſupplements to 30th October, 1805, &c.

Here end the Laws under the Proprietary Government.

At a SESSION of the GENERAL ASSEMBLY of MARYLAN convened by the COUNCIL of SAFETY, and begun and held at CITY of ANNAPOLIS, on Wedneſday, the 5th of February, the year of our Lord 1777, and ended the 20th day of April, following laws were enacted.

THOMAS JOHNSON, ESQUIRE, GOVERNOR.

CHAP. I.

Paſſed 20th of April, 1777. An ACT for laying the levy in Anne-Arundel county. Lib. GR. fol. 1.

CHAP. II.

An ACT to prevent deſertion. Lib. GR. fol. 13.

CHAP. III.

An ACT to promote the recruiting ſervice. Lib. GR. fol. 15.

CHAP. IV.

An ACT to expedite the march of troops in and through this ſtate. Lib. GR. fol. 19.

CHAP. V.

An ACT to direct the forms of the commiſſions to the judges & juſtices, and civil officers of this ſtate, and the oath of office to taken by the governor, the chancellor, judges, juſtices, and civil officers of this ſtate. Lib. GR. fol. 23.

Oaths of office to be taken, &c. BE IT ENACTED, *by the General Aſſembly of Maryland*, That the governor, chancellor, judges, juſt and all other civil officers of government, ſhall take the following oaths reſpectively, before enter into the execution of their reſpective offices. The oath of the governor: " I, A. B. el " governor of the ſtate of Maryland, by the ſenate and houſe of delegates thereof, do ſolemnly " miſe and ſwear, that I will, to the beſt of my ſkill and judgment, execute the ſaid office dilig " and faithfully, according to the conſtitution and laws of the ſaid ſtate, without favour, affe " or partiality; and that I will, to the utmoſt of my power, ſupport, maintain and defend, the " of Maryland, the conſtitution and laws, the freedom and independency thereof, againſt all " enemies, or ſecret and traiterous conſpiracies, and will conſtantly endeavour to protect the pe " thereof in the ſecure enjoyment of all their rights and privileges; and that the laws of the " be duly obſerved, and that law and juſtice, in mercy, be executed in all judgments, and that I " peaceably and quietly reſign the office of governor, to which I have been elected, at the perio " which my continuance in the ſaid office is or ſhall be limitted by law and the conſtitution; ſo " me GOD." The oath of a member of the council: " I, A. B. elected a member of the counc " Maryland, do ſolemnly promiſe and ſwear, that I will, to the beſt of my ſkill and judgm " execute the ſaid office diligently and faithfully, according to the conſtitution and laws of " ſaid ſtate, without favour, affection or partiality, and that I will not divulge or make known " of the proceedings and orders of the council which ſhall be directed by them to be kept ſe " unleſs when the ſame ſhall be called for by either houſe of aſſembly." The oath of a cha lor: " I, A. B. chancellor, do ſolemnly promiſe and ſwear, that, as chancellor, I will do e " right and juſtice according to law, equity, and good conſcience, in every caſe in which I ſha " as chancellor, freely without ſale, fully without any denial, and ſpeedily without delay, and " behave myſelf juſtly, honeſtly and faithfully, in the ſaid office, according to the beſt of my k " ledge and underſtanding; ſo help me GOD." Oath of a judge of the court of admiralty: (a) " A. B. do ſolemnly promiſe and ſwear, that, as judge of the court of admiralty, I will do e " right and juſtice according to law, in every caſe in which I ſhall act as judge of the court of " miralty, freely without ſale, fully without any denial, and ſpeedily without delay, and will be " m

(a) There is not at preſent any court of admiralty under the ſtate laws, admiralty cauſes being decided in the courts o United States.

yſelf juſtly, honeſtly and faithfully, in the office of judge of the court of admiralty, according to e beſt of my knowledge and underſtanding; ſo help me GOD." The oath of the judge or juſtice of other court: "I, A. B. judge or juſtice, do ſolemnly promiſe and ſwear, that (as judge or juſtice,) will do equal right and juſtice according to the law of this ſtate, in every caſe in which I ſhall as judge or juſtice, freely without ſale, fully without any denial, and ſpeedily without delay, d will behave myſelf juſtly, honeſtly and faithfully, in the ſaid office, according to the beſt of my owledge and underſtanding; ſo help me GOD." The oath of an attorney at law: "I, A. B. ſolemnly promiſe and ſwear, that I will well and truly behave and demean myſelf in the office attorney of ——— court, in all things appertaining to the duties thereof, according to the ſt of my ſkill and judgment; ſo help me GOD." The oath of attorney-general, clerk of the al and county courts, and all other civil officers of this ſtate: "I, A. B. do ſolemnly promiſe d ſwear, that I will well and truly behave and demean myſelf in the office of ——— in all ings appertaining to the duties thereof, according to the beſt of my ſkill and judgment, and with- t favour, affection or partiality; ſo help me GOD." Form of a commiſſion to the judges of the of appeals and the general court: The ſtate of Maryland to A. B. C. D. Eſquires, greet- Be it known, that repoſing great truſt and confidence in your integrity and ſound judgment in w, you, and every of you, are jointly and ſeverally appointed and aſſigned judges of the court peals, or general court, (as the caſe may be,) to do equal right and juſtice according to the law is ſtate, in every caſe in which you ſhall act as judge, jointly or ſeverally, freely without ſale, without any denial, and ſpeedily without delay; and you, and every three or more of you, ſſigned judges of the court of appeals, or you, and every one or more of you, are aſſigned judges e general court, (as the caſe may be,) do execute the office of judge of the ſaid court juſtly, ſtly and faithfully, according to law; and you are to hold and execute the ſaid office of judge nd during your good behaviour. Given under the ſeal of the ſtate of Maryland, this —— day —, in the year of our Lord one thouſand ſeven hundred and ——. Witneſs C. D. chancellor. of a commiſſion to the judge of the court of admiralty: (a) The ſtate of Maryland to A. B. of county, Eſquire, greeting: Be it known, that repoſing great truſt and confidence in your in- ty and ſound judgment in the law, you are appointed and aſſigned judge of the court of admiralty, equal right and juſtice according to law, in every caſe in which you ſhall act as judge, freely out ſale, fully without any denial, and ſpeedily without delay; to execute the ſame office of of the court of admiralty juſtly, honeſtly and faithfully, according to law; and you are to hold exerciſe the ſaid office of judge for and during your good behaviour in your ſaid office. Given r the ſeal of the ſtate of Maryland, this —— day of ——, in the year of our Lord one thouſand hundred and ſeventy-ſeven. Witneſs C. D. chancellor. Form of a commiſſion to the juſtices e county courts: The ſtate of Maryland to A. B. C. D. &c. of —— county, gentlemen, greet- Be it known, that repoſing great truſt and confidence in your knowledge, integrity and love of e, you and every of you, jointly and ſeverally, are appointed and aſſigned juſtices of —— county , to do equal right and juſtice according to the law of this ſtate, in every caſe in which you act as juſtice, freely without ſale, fully without any denial, and ſpeedily without delay; and and every three or more of you, are aſſigned the juſtices of —— county court, to execute the office juſtly, honeſtly and faithfully, according to law, until you ſhall be duly diſcharged from ſaid office. Given under the ſeal of the ſtate of Maryland, this —— day of ——, ſeventeen red and ſeventy-ſeven. Witneſs C. D. chancellor. Form of a commiſſion to a ſheriff, coroner, eyor, or any other civil officer of government: The ſtate of Maryland to A. B. of —— county, ire, greeting: Be it known, that repoſing eſpecial truſt and confidence in your prudence and ty, you are appointed ſheriff, or one of the coroners, or ſurveyor, of —— county, to hold the office of ——, with all lawful fees, profits, privileges and benefits, to the ſaid office of —— be- ng, until you ſhall be duly diſcharged therefrom, and to execute the duties of the ſaid office diligence and fidelity, without favour, affection or partiality, according to law. Given under eal of the ſtate of Maryland, this —— day of ——, in the year of our Lord one thouſand ſeven red and ſeventy-ſeven. Witneſs C. D. chancellor.

(a) See the note to the oath of the judge.

. AND BE IT ENACTED, That the oths to the governor ſhall be adminiſtered to him by the preſi- of the ſenate in the ſenate houſe, in the preſence of the members of the general aſſembly; and oaths to the members of the council ſhall be adminiſtered by the preſident of the ſenate, or any or juſtice; and the oaths to the chancellor ſhall be adminiſtered to him by the governor, at the of delivering to him the great ſeal of this ſtate; and any judge or juſtice may qualify before any in commiſſion with him, or before any qualified judge or juſtice, which qualification ſhall be cer- by the judge or juſtice before whom the ſame is made, and ſhall be recorded by the court of h the judge or juſtice ſo qualified is or ſhall be a member. By whom to be adminiſtered.

CHAP. VI.

Passed 20th of April, 1777.

An ACT to direct in what manner all fines, forfeitures and penal shall be recovered, and in what manner fines, forfeitures, pena and amerciaments, shall be applied. Lib. GR. fol. 27.

Fines, &c. how to be recovered, &c.

BE IT ENACTED, *by the General Assembly of Maryland*, That all fines, penalties and forfeitures, ed and imposed by any of the laws now in force, and all fines, penalties and forfeitures, shall hereafter be inflicted and imposed, and no mode of recovery or application shall be di shall and may be recovered in manner following, to wit: Where the sum doth not exceed five current money, the same shall and may be recovered, with costs, in the name of this state a informer, before any one justice of the peace of the county where the offence shall be committe where the sum exceeds five pounds current money, the same shall and may be recovered, wit in the county court of the county where the offence shall happen, by indictment, in the name state, or by action of debt in the name of this state and the informer, in which it shall be suffic allege that the defendant is indebted to this state and the informer in the fine, penalty or forf by this act directed and imposed, whereby action accrued, without setting forth the special provided the cause of action be endorsed on the writ at the time of the issuing thereof; and any fine, penalty or forfeiture, shall be recovered before a justice of the peace, such justic either commit the offender to the public gaol till payment to the sheriff of the county, or by w to any constable, shall direct and order the same to be levied, with the costs of execution, on fender's goods or chattels, and shall annually return to the treasurer of his shore a list of th penalties or forfeitures, recovered before him; and the constable collecting the same shall, on ceipt thereof, pay one half to the informer, and the other half to the sheriff of his county, wh pay the same to the treasurer of his shore for the use of this state; and if the fine, penalty feiture, shall be recovered by indictment, the court before whom such recovery shall happen either commit the offender to the public gaol till payment to the sheriff, or may order execu levy the same, with the costs of the execution, on the offender's lands, goods or chattels, a sheriff receiving or collecting the same, shall pay the same to the treasurer of his shore whe recovery shall happen, for the use of this state; and if recovered by action of debt, the same s paid by the sheriff receiving or collecting the same, one half thereof, with the costs, to the inf and the other half to the treasurer of the shore where recovered, for the use of this state; prosecution or suit shall be commenced for any fine, penalty or forfeiture, unless within one yea the time of the offence committed.

See 1795, ch. 74, for the more speedy and effectual recovery of fines, &c.

Amerciaments to be paid, &c.

II. AND BE IT ENACTED, That every amerciament in the general or county court, shall be p the sheriff collecting the same, to the treasurer of his shore for the use of this state.

CHAP. VII.

An ACT relating to the public buildings in Harford county. Lib. RG. fol. 28.

CHAP. VIII.

An ACT to establish orphans courts in the several counties of state. Lib. RG. fol. 29.

Supplementary and other acts October, 1777, ch. 9, 1790, ch. 58, 1791, ch. 76, 1798, ch.

Preamble.

WHEREAS, by the form of government lately assented to by the representatives of the fr of this state, it is intended, that the office of commissary-general should be abolished that an orphans court, and a register of wills, under the control of said court, should be app in every county;

Office abolished.

II. BE IT THEREFORE ENACTED, *by the General Assembly of Maryland*, That the office of co sary-general in this state be for ever hereafter abolished, and that seven of the justices of the in Anne-Arundel, Baltimore and Prince-George's counties, and five (a) of the justices of the in St. Mary's, Kent, Calvert, Charles, Somerset, Dorchester, Cæcil, Talbot, Queen-Anne's, cester, Frederick, Harford, Caroline, Washington and Montgomery counties, shall be spe named by the governor, with the advice and consent of the council, and be by him commissio and for justices of the several orphans courts in this state, any three or more of whom shall power to hold a court once in two months, or oftener, as the case shall require, within their

(a) So much of this act as authorised the appointment of the above number of justices was repealed by 1790, ch. 1791, ch. 76, by which three persons were to be appointed; the same number is directed by 1798, ch. 101.

respective counties, at the usual place of holding county courts, and therein shall proceed according to the laws now in force, or hereafter to be in force, for the administration of justice in testamentary affairs, granting administrations, recovery of legacies, securing filial portions, and distribution of intestates estates; and shall have the same power, authority and jurisdiction, within their respective counties, which the commissary-general heretofore by law had and exercised within this state. CHAP. VIII.

II. Be it enacted, That the orphans courts in the several counties shall be held on the second Tuesday in June, August, October, December, February and April, yearly, or oftener, if need be, on their own adjournments; and that the justices of such courts, before they proceed to business, shall severally take the oaths of allegiance and fidelity to this state, as also the oath of judge of assize, and sign a declaration of his belief in the christian religion. When courts are to be held.

III. And be it enacted, That the register of wills, appointed in each county under the form of government, shall have all the power, authority and jurisdiction, which the deputy-commissaries heretofore by law had and exercised in such county; and moreover shall diligently attend the meeting of the orphans court in his county, and there make full and fair entries of their proceedings; and also make a fair record of all wills and other matters heretofore recorded in the office of the commissary-general, and give out copies, under seal, when demanded, of all such records; and shall be entitled to a reward for his services according to the table of fees hereafter to be settled. Registers power.

IV. And be it enacted, That the said register of wills shall be obliged to attend on the Tuesdays and Saturdays in every week at the city, town or place, where the county courts are held, unless prevented by sickness or other unavoidable accident or necessity, for the dispatch of all business that shall come before him relative to the estates of persons deceased; and also shall be obliged to lodge the original papers, and all records by him made up, in a repository in the court-house of the county of which he is register, which said repository shall be provided by the justices of the county courts at the place of their counties respectively. Days of attendance.

V. And be it enacted, That the register of wills in each county, before he acts as such, shall take the oath of allegiance and fidelity to this state, before one of the justices of the peace for the county, and also an oath of office in the following words: "I, A. B. make oath, on the Holy Evangels of Almighty God, that I will deligently and faithfully execute the office of register of wills within the county of ——, according to the best of my skill and judgment; so help me God;" shall sign a declaration of his belief in the christian religion, and also give bond, with two good and sufficient securities, in the penal sum of two thousand pounds currency, payable to this state, conditioned for the faithful performances of his said office of register of wills, which bond shall be with said securities approved by the justice of the peace before whom the oath is made as aforesaid, and shall be by him returned, together with a certificate of the oath aforesaid having been taken, to the next orphans court to be held for said county, and there entered upon record, and the original carefully kept by the presiding judge of said court. To take the oath of allegiance, &c.

VI. And be it enacted, That the said justices, or any three or more of them, shall cause a seal to be made for their several counties, and shall proceed by way of summons, attachment and distress, to compel all persons to attend; and after decree or judgment passed, and copy thereof served on the defendant, shall and may proceed by process of attachment or of execution on the said decree, or judgment against the person, goods, chattels, lands and tenements, of the defendant or defendants, to compel performance of said decree or judgment. A seal to be made, &c.

VII. And be it enacted, That where summons shall issue by order of said court, the same shall be directed to the sheriff or coroner of the county, as the case may require; and if two *non est*s be returned on such summons, it shall and may be lawful for the justices of said court, and they are hereby authorised and required, on application of the party or parties at whose instance such summons issued, his, her or their agent or attorney, to order attachment against the goods, chattels, lands and tenements, of such person or persons against whom two *non est*s have been returned, and to cause the same goods, chattels, lands and tenements, or so much thereof as may be attached, to be put into the hands of sequestrators, until the party or parties shall think proper to appear, either personally or by attorney, and give good security to abide the order or judgment of said court in hearing the cause. Summons to be directed to the sheriff, &c.

VIII. And be it enacted, That where either of the parties concerned in interest require the same it shall and may be lawful for the said justices of the orphans courts, or any three or more of them, Justices may call a jury, &c.

CHAP. VIII.

them, and they are hereby required, to direct a plenary proceeding by libel and anfwer on oath, ſhall take depoſitions in writing, and call a jury of twelve freeholders of ſaid county to their aſſiſt by warrant to the ſheriff of the county, who ſhall ſummon and return a pannel of twenty freehol who ſhall attend under the ſame penalty as for non-attendance on the county courts, for the d mination of all conteſted facts, in caſe the parties, or either of them, require a jury to be e and ſhall direct an iſſue to be tried, and ſhall have power to give a decree or judgment on the ve or hearing without jury trial, and alſo award coſts to the party, libellant or reſpondent, who ſh their opinion be entitled thereto.

Proviſo.

X. PROVIDED ALWAYS, AND BE IT ENACTED, That nothing herein contained ſhall depriv parties, plaintiff or complainant, or either of them, of an election in all diſputed caſes of mencing his, her or their ſuit, originally in the county court, general court, or high court of cery, according to the known and eſtabliſhed juriſdiction of ſuch court reſpectively.

Perſons aggrieved may appeal, &c.

XI. AND BE IT ENACTED, That it ſhall and may be lawful for all and every perſon or per who think themſelves aggrieved by ſuch decree or judgment, to appeal therefrom, within ſixty after the award or rendition thereof, to the general court, or chancellor of this ſtate, at his, h their election, provided that bond be given with good ſecurity to proſecute the ſaid appeal with e within thirty days after the appeal entered, and to pay ſuch coſts and damages as ſhall be adju on the hearing ſuch appeal, or attachment or execution may iſſue as if no ſuch appeal had been m

Where wills may be proved.

XII. AND BE IT ENACTED, That if any perſon having a manſion-houſe, or place of know ſidence and abode, within this ſtate, ſhall depart this life, and ſhall have diſpoſed of his or her e or any part thereof, by will, ſuch will ſhall be proved in the orphans court of that county where manſion-houſe, or place of reſidence or abode, ſhall have been; and if ſuch perſon ſhall not hav any manſion-houſe, or place of reſidence or abode, as aforeſaid, and ſhall have deviſed any lan his will in writing, then ſuch will ſhall be proved in the orphans court of that county wherein lands ſhall lie; and if ſuch perſon ſhall by ſuch will have deviſed lands lying in ſeveral counties, ſhall die in any of thoſe counties, then the will ſhall be proved in the orphans court of that co wherein he or ſhe ſhall happen to die; and if ſuch perſon, deviſing lands as aforeſaid, ſhall d another county than where any of his or her lands ſhall lie, then the proof of ſuch will ſhall be in the orphans court of ſome one of the counties where ſuch lands ſhall lie, and not in any county; and the proof of any will once well and ſufficiently made in any county, as is above dire ſhall be, and is hereby declared to be, of the ſame force and effect as if the ſame had been prov every county where any land or other eſtate ſhall lie; and where any perſon, having no man houſe, or place of known reſidence or abode, nor any lands within this ſtate, ſhall die, having his will of perſonal chattels, ſuch will ſhall be proved in the county where he ſhall die, or i county where the greateſt part of his eſtate doth lie.

Where letters are to be granted.

XIII. AND BE IT ENACTED, That if any perſon having a manſion-houſe, or other known p of reſidence or abode, within this ſtate, ſhall die inteſtate, in ſuch caſe, the orphans court of county where ſuch manſion-houſe, or place of reſidence or abode, ſhall be, and not any other co court, ſhall have full power and authority to hear and determine the right of adminiſtration upo eſtate of ſuch inteſtate, and to grant letters of adminiſtration thereon; and if ſuch perſon dyi teſtate, ſhall not have had any manſion-houſe, or place of reſidence or abode, then adminiſtr ſhall be granted by the orphans court of that county wherein ſuch perſon ſhall have died, or w he or ſhe may have the greateſt part of his or her eſtate, and not in any other county.

Executor, &c. may ſue, &c.

XIV. AND BE IT ENACTED, That letters teſtamentary, or letters of adminiſtration, gra purſuant to and in manner preſcribed by this act, ſhall empower and enable the executor and ex tors, adminiſtrator and adminiſtrators, therein named and appointed, to ſue for, recover and rec by all lawful ways and means, all and ſingular the goods and chattels, real and perſonal, and all every the debts, or other eſtate, of their and every of their teſtator or inteſtate, within any o counties of this ſtate, in like manner as they might or could do within the county where ſuch pr is made, or letters of adminiſtration granted reſpectively, any law or uſage to the contrary not ſtanding.

Executor, &c. dying, letters may be granted.

XV. AND BE IT ENACTED, That where the executor or executors, and every of them, ſhall or refuſe to execute the will of the deceaſed, in ſuch caſe the orphans court where probat of the is made, ſhall grant letters of adminiſtration, with copy of the will annexed, to ſuch perſon as have right thereto by virtue of the laws of this ſtate.

XVI.

CHAP. VIII. Provision in case of will produced, &c.

VI. AND BE IT ENACTED, That if any will shall be produced after letters of administration ted, and probat thereof desired and legally made, it shall and may be lawful for the orphans t to grant letters testamentary, or letters of administration with the will annexed, in the same ner as if letters had not been before granted, and such former letters of administration shall be eby superseded.

Executors, &c. to have allowance, &c.

VII. AND, whereas executors or administrators, and guardians of orphans, may be much in- , or totally ruined, by the enemy invading this state, or some of the counties thereof, BE IT TED, That executors, administrators and guardians, shall have proper allowance made them by rphans court for any damage the estates of minors, in their hands or possession, may receive by ion of the enemy, and neither they nor their securities shall be liable to make good such damage, ded that such damage or injury shall not arise or happen by the negligence or wilful default of executors, administrators or guardians.

Orphans courts to have power, &c.

VIII. AND BE IT ENACTED, That the justices of the orphans courts shall not be obliged to mit balances to the county courts, but shall retain and take security for the same, and shall have xercise the same power of summoning juries of inquiry, and all other the power, authority and iction, with regard to executors, administrators, guardians and orphans, that the county courts w heretofore did or of right ought to have used and exercised.

Register of P. George's to have the care of records, &c.

IX. AND BE IT ENACTED, That the register of wills for Prince-George's county shall for the nt have the care and custody of the records of the prerogative office, and on application make hes and give out copies of said records; and that it shall and may be lawful for the governor, the advice and consent of the council, to cause the said records to be removed to any other y, and when so removed, the register of such county where removed shall have the custody of ecords, and on application make searches and give out copies thereof.

y 1798, ch. 101, this act, and every other act in addition thereto, or so much thereof as is repugnant to the provisions of that re repealed. This act, therefore, though inserted at length, is not in force, except in such parts as do not come within the repealing clause.

CHAP. IX.

Passed 20th of April, 1777.

CT to make the bills of credit issued by congress, and the bills of credit emitted by acts of as- bly and resolves of the late conventions, a legal tender in all cases. Lib. GR. fol. 34. Re- led October, 1780, ch. 5.

CHAP. X.

CT for the erecting barracks. Lib. GR. fol. 37.

CHAP. XI.

CT to revive the proceedings of Frederick county court. Lib. GR. fol. 38.

CHAP. XII.

ACT concerning marriages. Lib. GR. fol. 39.

Certain marriages to be void.

IT ENACTED, *by the General Assembly of Maryland*, That if any person within this state shall ereafter marry with any person related within any of the degrees of kindred or affinity ex- d in the following table, such marriage shall be void.

ble of the degrees of kindred and affinity within which no persons related shall marry together.

A man shall not marry his	A woman shall not marry her
Grand-mother,	Grand-father,
Grand-father's wife,	Grand-mother's husband,
Wife's grand-mother,	Husband's grand-father,
Father's sister,	Father's brother,
Mother's sister,	Mother's brother,
Father's brother's wife,	*Father's sister's husband,*
Mother's brother's wife,	*Mother's sister's husband,*
Wife's father's sister,	*Husband's father's brother,*
Wife's mother's sister,	*Husband's mother's brother,*
Mother,	Father,
Step-mother,	Step-father,
Wife's mother,	Husband's father,
Daughter,	Son,

A Table

CHAP. XII.

A Table of the degrees of kindred and affinity within which no persons related shall marry to

A man shall not marry his	A woman shall not marry her
Wife's daughter,	Husband's son,
Son's wife,	Daughter's husband,
Sister,	Brother,
Wife's sister, *	Husband's brother, *
Brother's wife, *	Sister's husband, *
Son's daughter,	Son's son,
Daughter's daughter,	Daughter's son,
Son's son's wife,	Son's daughter's husband,
Daughter's son's wife,	Daughter's daughter's husband,
Wife's son's daughter,	Husband's son's son,
Wife's daughter's daughter,	Husband's daughter's son,
Brother's daughter,	Brother's son,
Sister's daughter,	Sister's son,
Brother's son's wife,	*Brother's daughter's husband,*
Sister's son's wife,	*Sister's daughter's husband,*
Wife's brother's daughter,	*Husband's brother's son,*
Wife's sister's daughter.	*Husband's sister's son.*

So much of this act as prohibits marriages between persons related in the degrees herein printed in italic, is repe 1785, ch. 35; and so much thereof as prohibits marriage between persons related within the degrees herein marked pealed by 1790, ch. 20.

Penalty on marrying within the degrees, &c.

II. AND BE IT ENACTED, That if any person within this state shall hereafter marry with an son related within the three degrees of lineal direct consanguinity, or within the first degree o lateral consanguinity, each of the parties, on conviction thereof in the general court, shall and pay five hundred pounds current money, or be banished this state for ever; and if any within this state shall hereafter marry with any person related within any other of the degr kindred, or within any of the degrees of affinity expressed in the said table, each of the par offending shall forfeit and pay two hundred pounds current money.

Marriages, by whom to be celebrated.

III. AND BE IT ENACTED, That the rites of marriage between any white persons, subjects habitants of this state, shall not be celebrated by any person within this state, unless by minis the church of England, ministers dissenting from that church, or Romish priests, appointed dained according to the rites and ceremonies of their respective churches, or in such manner a been heretofore used and practised in this state by the society of people called Quakers; and person shall celebrate the rites of marriage between any white persons as aforesaid, contrary t true intent and meaning hereof, he shall forfeit and pay for every offence five hundred pounds c money.

Penalty for marrying persons related, &c.

IV. AND BE IT ENACTED, That if any minister within this state shall knowingly celebra rites of marriage between any persons related within the degrees of kindred or affinity in th table expressed, (to avoid which offence he is to make diligent inquiry,) he shall forfeit and p every offence five hundred pounds current money.

No person to marry without licence, &c.

V. AND BE IT ENACTED, That no person within this state shall marry without such licence this act is directed, or before the names of the parties intending to marry shall be thrice publi some parish church or chapel, meeting-house, Romish chapel, or other house of religious worsh the county where the woman shall have her usual residence, on three several Sundays, by some ster residing within the same county where the woman to be married usually lives, (or if a q before publication of his marriage shall be made in such manner as hath been heretofore us practised in this state by the people of his society,) under the penalty of five hundred pounds c money; and if any minister shall marry any person without such licence or publication as afo he shall forfeit five hundred pounds current money; and if any minister shall go out of the where he resides, and there join together in matrimony any persons belonging to this state, and minister shall go out of this state and there celebrate the rites of marriage between any perso longing to this state, without such licence or publication as above prescribed, he shall forfeit a five hundred pounds current money.

Penalty on marrying out of the state, &c.

VI. AND BE IT ENACTED, That if any person belonging to this state shall go out of this stat there marry with any person belonging to this state, contrary to this act, each of the said shall be liable to the same punishment or penalty as if the offence had been committed within thi

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VII. AND BE IT ENACTED, That every parish church or chapel belonging to the church of Eng- and every meeting-house, Romish chapel, or other house of religious worship, belonging to and by any sect or denomination of christians, shall be recorded in the records of the county court the county wherein such church, chapel, or house of worship shall be, and none shall be esteemed such for the publication of marriage agreeable to this act, unless recorded as aforesaid. Churches, &c. to be recorded.

VIII. AND BE IT ENACTED, That every minister celebrating a marriage by licence aforesaid, shall nually, in the month of November, return on oath a list of the names of the persons, and the time married, to the treasurer of his shore, under the penalty of two hundred pounds current money. Lists to be returned.

IX. AND BE IT ENACTED, That if any minister shall join in marriage any male under the age of ty-one years, or any female under the age of sixteen years, and not before married, without the ent of the parent or guardian of every such person, personally given, or signified under the hand seal of the said parent or guardian, and attested by two witnesses, he shall forfeit and pay five red pounds current money. Penalty for marrying persons under age, &c.

X. AND BE IT ENACTED, That where any parish or parishes have not a minister officiating therein, all and may be lawful for the reader or the clerk of such parish or congregation to publish the s of matrimony. Reeder may publish bands.

XI. AND BE IT ENACTED, That if any minister shall wilfully publish the bands of matrimony be- any servants, or between a free person and a servant, or if he shall wittingly celebrate the of matrimony between any such, without leave of the master or mistress of such servant, he shall t and pay for every offence fifty pounds current money. Ministers not to marry servants.

XII. AND BE IT ENACTED, That all licences for marriage shall be issued by the clerk of the court at county where the woman shall have her usual residence, under the seal of his county, in the wing form, to wit: "Whereas application hath been made to me by A. B. of —— county, and D. of —— county, for licence to be joined in holy matrimony: These are therefore to authorise d license you to solemnize the rites of marriage between the said persons, according to law, re appearing to you no lawful cause or just impediment, by reason of any consanguinity or nity, to hinder the same. Given under my hand and the seal of my office this —— day of ——, the year seventeen hundred ———. To the reverend Mr. —— ——, or any other person alified by law to celebrate the marriage in the state of Maryland." Clerks to issue licences.

XIII. AND BE IT ENACTED, That there shall be paid to the clerk granting such licence the sum rty shillings current money, and he shall annually in the month of November, return on oath of licences by him granted, the date, and the persons to whom granted, to the treasurer of his and shall at such time pay to such treasurer twenty-five shillings current money for each e by him granted, for the use of this state, under the penalty of one hundred pounds curren , and may retain five shillings on each licence for his trouble. (a) Thirty shillings to be paid, &c.

(a) By 1797, ch. 38, blank licences are to be delivered by the governor and council to the treasurers, to be applied for by, and ered to, the respective county clerks for each year, and to be accounted for by them; and so much of this act as directs a dif- mode of granting and accounting for marriage licences is thereby repealed after the 1st of May, 1798. By the said act me of returning the lists of licences is altered, and the penalty of one hundred pounds is discontinued.

XIV. AND BE IT ENACTED, That the chancellor shall and may hear and determine all causes for y, in as full and ample manner as such causes could be heard and determined by the laws of nd in the ecclesiastical courts there. Chancellor to determine, &c.

XV. AND BE IT ENACTED, That the general court may inquire into, hear and determine, either ictment or petition of either of the parties, the validity of any marriage, and may declare any ge, contrary to the table in this act, or any second marriage, the first subsisting, null and void; appeal the depositions and evidence given in the cause shall be transmitted with the record to urt of appeals, and thereupon such cause shall be heard, determined and adjudged *de novo*. General court may inquire, &c.

CHAP. XIII.

AN ACT for the more speedy and effectual recovery of common law ges, and forfeited recognizances. Lib. GR. fol. 43.

Passed 20th of April, 1777.

WHEREAS the public administration of justice has been greatly impeded by the many forfeitures of recognizances taken for the appearance of offenders, and witnesses against them, and the Preamble.

CHAP. XIII.

irregular collection of the ſtipulated ſums thereon due, and alſo of the common law fines impoſed public delinquents;

Attorney-general to order writs, &c.

II. BE IT THEREFORE ENACTED, *by the General Aſſembly of Maryland*, That from and after the day of June next, whenever any recognizance, taken for the appearance of any perſon or perſon anſwer, or of any perſon or perſons to teſtify, ſhall be forfeited in any court of record, or wh any fine or fines ſhall, after the ſaid firſt day of June next, be impoſed by any court of record for common law offence, on any perſon or perſons, it ſhall and may be lawful for the attorney-gene or either of his deputies, to order a writ or writs of *capias ad ſatisfaciendum*, or a writ or writ *fieri facias*, to be iſſued for the recovery of the ſum or ſums thereon due, on which writ or writs proceeding ſhall and may be had, as in caſes where ſimilar writs are iſſued on judgments obtaine perſonal ſuits.

By 1795, ch. 74, the attorney-general or his deputies are directed, on the application of the ſheriffs, to order a writ of *ad ſatisfaciendum* for the recovery of *all* fines, &c. with the coſts.

Fines, to whom to be paid.

III. AND BE IT ENACTED, That all ſums which ſhall ariſe due for ſuch forfeitures and fines, be paid into the hands of the attorney-general, or his deputies, in their reſpective counties, and be by them reſpectively paid over yearly, on or before the twenty-fifth day of December in e year, to the treaſurer of the weſtern ſhore, for the uſe of this ſtate, on all which ſums, ſo t received and paid, the ſaid attorney-general, and his deputies reſpectively, ſhall be entitled to re five *per centum* commiſſion for their trouble on ſuch receipts and payments, and ſhall alſo charge on the iſſuing every execution as aforeſaid, in the ſame manner as other fees are charged by attor in civil actions.

So much of this ſection as gives fees to the attorney-general or his deputies, is repealed by 1791, ch. 63; and by 1795, c *all* fines, &c. with coſts, are directed to be paid to the ſeveral ſheriffs.

Clerks to deliver liſts yearly, &c.

IV. AND BE IT ENACTED, That the clerk of the general court and of each county court, ſhall or before the fifteenth day of December yearly, make out and deliver unto the governor and council for the time being, complete liſts of all ſuch forfeitures and fines as ſhall be incurred in t reſpective courts, under the penalty of two hundred pounds current money for every negle omiſſion ſo to do; and the ſaid attorney-general and his deputies ſhall alſo make out and deliver the treaſurer of the weſtern ſhore, on or before the ſaid fifteenth day of December yearly, comp liſts of the ſaid forfeitures and fines ariſing in the counties in which they ſhall reſpectively profe under the like penalty; provided, that nothing in this act contained ſhall extend, or be conſtrue extend, to prevent the ſeveral courts, as they might heretofore lawfully do, from committing perſon or perſons from the non-payment of any fine or fines impoſed, if they ſhall deem it expe ſo to do.

CHAP. XIV.

Paſſed 20th of April, 1777.

An ACT for quartering ſoldiers. Lib. GR. fol. 45.

To continue during the war. Expired.

CHAP. XV.

An ACT to open the courts of juſtice, and for other purpoſes. L GR. fol. 48.

Preamble.

WHEREAS at a convention begun and held at the city of Annapolis on the twenty-ſixth of July, ſeventeen hundred and ſeventy-five, and continued till the fourteenth day of A in the ſame year, it was declared and reſolved, that in all ſuits and actions then depending or menced within this province, where there was no real diſpute, the ſuitors and attornies ſhould ceed, with all convenient ſpeed, to ſettle the ſame by judgment, reference, or other amicable and that in all ſuits and actions then depending or commenced, (where there were real diſputes which could not be ſettled in an amicable manner, or tried with juſtice to the parties,) ought to and remain, during theſe times of public calamity, in their then preſent ſtate and condition. continued until otherwiſe ordered by act of aſſembly, or ſome future convention; ſave and e only that bail might ſurrender their principals in their own diſcharge, and for want of other that the principal might be committed, and that thereafter proper proviſion ought to be made, b of aſſembly, for reinſtating, re-eſtabliſhing and proſecuting the buſineſs of the courts, and for ba the act for the limitation of ſuits; and it was further reſolved by the ſaid convention, that no original writ, ſuit or action, ſhould be commenced and renewed in any court of law, or any m trate's warrant of a civil nature iſſued within this province, after publication and due notice o ſaid reſolve, unleſs in the following caſes, ejectment, treſpaſs, trover, replevin, detinue; al real actions, actions for words, and for money or tobacco actually had and received by one perſo

e uſe of another, attachments under the late act of aſſembly, and againſt perſons nonreſident, tions or proceſs on loan-office bonds, without the licence or permiſſion of the committee of obſerva- n of the county where the debtors or defendants reſide, which ſhall or may be granted in the in- nces and manner therein after mentioned, and not otherwiſe; that the ſaid committees reſpective- ſhould, upon application, give licence for bringing or proſecuting ſuits in the following caſes; t is to ſay, when debtors refuſe to renew their obligations or other ſecurities, or to give reaſon- le ſecurity to liquidate and ſettle their accounts and give promiſſory notes for the balances, or to er their diſputes, if any, to one or more indifferent perſons, or are juſtly ſuſpected of intention to ve the province, or to defraud their creditors, and that the ſaid committees might in their diſcre- n grant licences in the following caſes, to wit: for the bringing actions by and againſt executors adminiſtrators, as ſuch, and their ſecurities, and for the bringing actions againſt guardians for recovery of filial portions, or the rents and profits of orphans eſtates; and it was alſo further lved by the ſaid convention, that no execution ſhall iſſue on any judgment obtained in the pro- cial court after April term then laſt paſt, or in the county courts after the then laſt March ad- rned courts, without ſuch licence as aforeſaid, ſave only in the caſes above ſpecified, or where original actions ſhould be brought by licence from the committee of obſervation: And whereas at ther convention held at the city of Annapolis on the ſeventh day of December, ſeventeen hun- d and ſeventy-five, it was further declared and reſolved by the ſaid convention, that in all caſes ere judgments have been or ſhall be obtained, (except in ejectment, treſpaſs, trover, replevin, inue, real actions, actions for words, for money and tobacco actually had and received by one per- for the uſe of another, attachment under the late act of aſſembly, and againſt nonreſidents, and ons on loan-office bonds,) the creditor ſhall, at his election, have a right to demand of the debtor ond with ſecurity for the debt and coſts of the ſaid judgments, or to take by *fieri facias* any tobac- wheat or corn, (but not other effects,) of the debtor, leaving to ſuch debtor ſufficient to ſupport family, but that no *capias ad ſatisfaciendum* be iſſued in any caſe (except in the caſes above except-) where the debtor will give bond and ſecurity, when required as aforeſaid, or where the effects reſaid are tendered to the creditor, at ſuch price as may be ſettled by the committee of obſerva- for the county in which ſuch debtor reſides; and it was alſo further reſolved, that all rents, r than rents for houſes, may be hereafter paid, and ſhall be received in tobacco or other country duce, at a reaſonable value, to be ſet by the committees of obſervation, and that no rents ought e changed into money from tobacco and other country produce, in which they have been hereto- annually paid: And whereas the reaſons which induced the ſaid conventions to make the ſaid ral reſolves now ceaſe, all country produce bearing an high price, and the inhabitants of this thereby enabled to pay their debts;

I. BE IT THEREFORE ENACTED, *by the General Aſſembly of Maryland*, That from and after the firſt of July next, all and every of the aforeſaid ſeveral reſolutions of the ſaid conventions ſhall be are hereby repealed and made null and void, and that it ſhall and may be lawful, after the ſaid day of July next, for any perſon or perſons to commence any action or actions, ſuit or ſuits, and ſame to proſecute to judgment, and that it ſhall and may be lawful for any plaintiff or plaintiffs ſue execution after the laſt day of Auguſt next, on all judgments in the courts of law, or before gle magiſtrate, heretofore or hereafter obtained. Reſolutions repealed, &c.

II. PROVIDED ALWAYS, That in all caſes where judgment hath already been, or ſhall hereafter obtained in any court of law, the plaintiff or plaintiffs, to entitle himſelf to execution, ſhall move court in which ſuch judgment hath been or ſhall be obtained, for leave to iſſue ſuch execution, the court ſo moved, ſhall and may, in their diſcretion, upon conſideration of particular diſtreſs e family of the defendant, conſequent on ſuch execution, ſtay the ſame for a time not more than months. Proviſo.

This clauſe is repealed by October, 1777, ch. 12, ſection 5.

V. AND PROVIDED ALSO, That this act, nor any thing therein contained, ſhall be taken or con- d to contravene, or in any manner repeal, that part of the act to promote the recruiting ſervice,* ch relates to debtors or tenants who have enliſted or ſhall enliſt in any of the battalions or artil- companies of this ſtate. Proviſo. * Chapter 23.

. AND BE IT FURTHER ENACTED, That it ſhall and may be lawful, after the ſaid firſt day of July, ny perſon or perſons to diſtrain for rent to him, her or them due, and for any magiſtrate to iſſue warrant or warrants, in the ſame manner as might or could have been done if the ſaid reſolves, ither of them, had never been made. Rents may be diſtrained for, &c.

CHAP. XV.

Actions, &c. reinſtated, &c.

VI. AND BE IT FURTHER ENACTED, *by the authority aforeſaid*, That all civil actions, pleas, pro and proceedings, which were depending in any of the courts of law or equity in this ſtate on twenty-ſixth day of July, ſeventeen hundred and ſeventy-five, and which have not already been h or determined, ſhall be reinſtated, put and conſidered, at the firſt ſeſſion of the reſpective court which ſuch actions were then depending, in the ſame ſtate and condition as they were in on the twenty-ſixth day of July, 1775, and that it ſhall and may be lawful for the chancellor, judges or tices, appointed by the general aſſembly, or the authority of this ſtate, to hear, try and determine their reſpective courts which ſhall be held next after the ſaid firſt day of July, all actions, ſuits, pl proceſs and proceedings, (not already heard and determined,) which were depending in ſuch co reſpectively in this ſtate on the ſaid twenty-ſixth day of July, 1775, (or which have been ſince c menced and not yet determined,) and proceed to final judgment or decree thereon, or the ſaid ch cellor, judges or juſtices, may, in their diſcretion, continue the ſaid actions, ſuits, pleas, pro and proceedings, to any other court, until they can or may be tried, heard and determined, juſtice and convenience to the parties.

Time not to be reckoned, &c.

VII. AND BE IT FURTHER ENACTED, *by the authority aforeſaid*, That all that ſpace of time f the ſaid 26th day of July, 1775, to the ſaid firſt day of July, 1777, ſhall not be reckoned, eſtim or conſidered, as part of the time limitted by law for bringing or proſecuting any action or ſuit w was reſtricted or prohibited from being brought by any of the ſaid reſolves, nor ſhall any part of time from the ſaid 26th of July, 1775, to the laſt day of Auguſt next, be taken or eſtimated in year and day limitted by law for iſſuing executions on judgments, and that if the act of limitat hath or ſhall be pleaded in any of the caſes aforeſaid, it ſhall and may be lawful for the plaintif plaintiffs to give the ſpecial matter and this act in evidence on a general replication.

Writs, &c. to continue, &c.

VIII. AND, that juſtice may not be delayed, or individuals ſuffer by a change of government, IT ENACTED, That all writs, warrants or other proceſs, iſſued out of the ſeveral offices of this ſt or by any magiſtrate, during the continuance of the former government, and all land warrants gr ed and iſſuing out of the land-office before the appointment and qualification of the regiſters of land-office under the preſent government, ſhall continue and be in force for the ſame time, and be executed by the proper officers appointed under the preſent government, in the ſame manner the former government had continued, and all officers who ſhall have in their poſſeſſion any writs, warrants or other proceſs, or any ſuch land warrants, or any records, books or papers, hereby directed and required to deliver them to the proper officers, immediately after their quali tion to act under the preſent government, or as ſoon as they ſhall be thereunto required.

When courts are to be held.

IX. AND BE IT ENACTED, That the judges of the court of appeals, or any three or more of th ſhall hold their firſt court at the city of Annapolis on the firſt Tueſday in October next, and on firſt Tueſday in May and October for ever thereafter; (a) and that the judges of the general co or any one of them, ſhall hold their firſt court for tranſacting and determining the buſineſs of eaſtern ſhore at Talbot court-houſe, in Talbot county, on the ſecond Tueſday of September n and on the ſecond Tueſday of April and September, until a town ſhall be laid out at Dover, (b) a court and priſon there erected, after which the ſaid court for the eaſtern ſhore ſhall for be held at Dover on the ſecond Tueſday of April and September; and that the judges aforeſaid any one or more of them, ſhall hold their firſt court for tranſacting the buſineſs of the weſtern ſh at the city of Annapolis, on the ſecond Tueſday of October next, and on the ſecond Tueſda May and October for ever after; and that the juſtices of the ſeveral county courts, under the pre form of government, or any three or more of them, hold their reſpective courts on the days here fore directed by acts of aſſembly.

(a) By 1789, ch. 40, the terms are changed to the ſecond Tueſdays in June and November.

(b) By November, 1788, ch. 16, the part of this act which reſpects the laying out a town, the erection of a court-houſe priſon at Dover, and the holding of the general court for the eaſtern ſhore there, is repealed, and the court is to be held after at Talbot, in Talbot county, which is to be called Eaſton.

Jurors to be ſummoned, &c.

X. AND BE IT ENACTED, That ſeven jurors from each county, three of whom ſhall be of grand jury, and four for the petit jury, be ſummoned by the ſheriffs of each county on the eaſt ſhore to attend the general court for that ſhore; and that the ſame number of jurors be ſummoned each ſheriff of the weſtern ſhore to attend the general court to be held for that ſhore; and the ſe ral ſheriffs of this ſtate ſhall ſummon for ſuch jurors freemen of their reſpective counties, of moſt wiſdom and experience, and having a free-hold of fifty acres of land in his county, or p perty in the ſtate above the value of three hundred pounds current money, and no challenge ſ be allowed to any perſon for the want of free-hold, and in ſummoning ſuch jurors ſhall obſerve

e rules as by law the ſheriffs were heretofore bound to obſerve in ſummoning jurors to the pro- cial court.

By October, 1777, ch. 16, the proviſion in this ſection is extended to the county courts. By 1797, ch. 87, perſons under e age of twenty-five years are not to be ſummoned as jurors; juſtices of the peace are not to be mmoned to two general or county courts ſucceſſively. The ſheriffs are to take an oath therein preſcribed, and ſhall not permit eir deputies to ſummon any juror without their direction.

I. AND BE IT ENACTED, That any juſtice of the peace of the county where the debtor reſides, , on application, grant licence for the bringing of any ſuit before the firſt day of July next, in caſes and in the ſame manner as any committee could have done under the reſolve of conven- of the twenty-ſixth day of July, ſeventeen hundred and ſeventy-five, and may in his diſcretion t warrant for the recovery of any debts within his juriſdiction; and any two juſtices of the peace l be inveſted, until the firſt day of July next, with the ſame power, and may act in all caſes, in- ed by a reſolve of the ſeventh of December, ſeventeen hundred and ſeventy-five, to any com- tee. Any juſtice may grant li. cence, &c.

CHAP. XVI.

ACT to enable the governor to iſſue commiſſions of oyer and terminer and gaol delivery in cer- in caſes. Lib. GR. fol. 54. Paſſed 20th of April, 1777.

CHAP. XVII.

ACT to continue the acts of aſſembly therein mentioned. Lib. GR. fol. 55.

E IT ENACTED, *by the General Aſſembly of Maryland*, That an act of aſſembly, entitled, An act to eſtabliſh a market at the market-houſe in Cheſter-town, in Kent county, and for the regulation he ſaid market, made at a ſeſſion of aſſembly begun and held at the city of Annapolis the ſeven- th day of March, one thouſand ſeven hundred and ſixty-two, (a) be and is hereby continued, ſhall remain and be in full force for and during the term of ſeven years, and to the end of the ſeſſion of aſſembly which ſhall happen after the end of the ſaid ſeven years; that another act of bly, entitled, An act for the preſervation of the breed of fiſh, made at a ſeſſion of aſſembly be- and held at the city of Annapolis on Tueſday the twenty-fourth day of May, ſeventeen hundred ixty-eight, (b) be and is hereby continued, and ſhall remain and be in full force for and during term of ſeven years, and to the end of the next ſeſſion of aſſembly which ſhall happen after the of the ſaid ſeven years; that another act of aſſembly, entitled, An act to prevent the exporta- of flour not merchantable from George-town, in Frederick county, made at a ſeſſion of aſſembly n and held at the city of Annapolis on Wedneſday the ſecond day of October, ſeventeen hun- and ſeventy-one, (c) be and is hereby continued, and ſhall remain in full force for and during term of ſeven years, and to the end of the next ſeſſion of aſſembly which ſhall happen after the of the ſaid ſeven years; that another act of aſſembly, entitled, An act to oblige infected ſhips other veſſels coming into this province to perform quarantine, made at a ſeſſion of aſſembly begun held at the city of Annapolis the firſt day of November, ſeventeen hundred and ſixty-ſix, (d) be is hereby continued, and ſhall be and remain in full force for and during the term of ſeven years, to the end of the next ſeſſion of aſſembly which ſhall happen after the end of the ſaid ſeven ; that another act of aſſembly, entitled, An act for amending and repairing the public roads in more county, made at a ſeſſion of aſſembly begun and held at the city of Annapolis the fifteenth ne, one thouſand ſeven hundred and ſeventy-three, (e) be and is hereby continued, and be and remain in full force for and during the term of three years, and to the end of the next n of aſſembly which ſhall happen after the end of the ſaid three years; that another act of aſ- ly, entitled, An act to regulate the criminal buſineſs of Baltimore county, made at the ſeſſion of bly begun and held at the city of Annapolis on Tueſday the ſixteenth day of November, one and ſeven hundred and ſeventy-three, (f) be and is hereby continued, and ſhall be and remain ll force for and during the term of ſeven years, and to the end of the next ſeſſion of aſſembly h ſhall happen after the end of the ſaid ſeven years; that another act of aſſembly of this ſtate, led, An act to eſtabliſh a market in Baltimore-town, in Baltimore county, and to regulate the market, made at a ſeſſion of aſſembly begun and held at the city of Annapolis on Tueſday the enth day of November, one thouſand ſeven hundred and ſeventy-three, (g) be and is hereby inued, and ſhall be and remain in full force for and during the term of ſeven years, and to the of the next ſeſſion of aſſembly which ſhall happen after the end of the ſaid ſeven years; that her act of aſſembly, entitled, An act for abolithing June county court, made at a ſeſſion of aſ- ly begun and held at the city of Annapolis on Wedneſday the twenty-third day of March, one and ſeven hundred and ſeventy-four, (h) be and is hereby continued, and ſhall be and remain in Several acts continued.

(a) 1762, ch. 32. (b) 1768, ch. 4. (c) 1771, ch. 15. (d) November, 1766, ch. 25. (e) June, 1773, ch. 3. November, 1773, ch. 20. (g) November, 1773, ch. 23. (h) 1774, ch. 5.

CHAP. XVII.

in full force for and during the term of seven years, and to the end of the next session of asse which shall happen after the end of the said seven years; that another act of assembly, entitled act for suspending the power of the commissioners for building a court-house and prison in Ha county, made at a session of assembly begun and held at the city of Annapolis the twenty-third of March, one thousand seven hundred and seventy-four, (i) be and is hereby continued, and be and remain in full force until the end of the next session of assembly; that another act of asse entitled, An act for regulating the gauging of casks in the town of Baltimore, made at a sessi assembly begun and held at the city of Annapolis the twenty-third day of March, one thousand s hundred and seventy-four, (k) be and is hereby continued, and shall be and remain in full force and during the term of seven years, and to the end of the next session of assembly which shall ha after the end of the said seven years; that another act of assembly, entitled, An act to preven erecting of booths and sale of liquors on holydays, made at a session of assembly begun and he the city of Annapolis the twenty-third day of March, one thousand seven hundred and seve four, (l) be and is hereby continued, and shall be and remain in full force for and during the ter seven years, and to the end of the next session of assembly which shall happen after the end o said seven years; that another act of assembly, entitled, An act for the relief of insolvent deb made at a session of assembly begun and held at the city of Annapolis the twenty-third day of M seventeen hundred and seventy-four, (m) be and is hereby continued, and shall be and remain i force for and during the term of three years, and to the end of the next session of assembly w shall happen after the end of the said three years.

(i) 1774, ch. 13. (k) 1774, ch. 23. (l) 1774, ch. 27. (m) 1774, ch. 28.

CHAP. XVIII.

Passed 20th of April, 1777. An ACT concerning duties. Lib. GR. fol. 58.

CHAP. XIX.

An ACT for holding an election for sheriffs in Somerset county, to enable the governor and council to determine the validity elections for sheriffs. Lib. GR. fol. 58.

Preamble. WHEREAS the late election of sheriffs for Somerset county was unfairly and unduly made reason of a number of armed men attending and influencing the same, contrary to the stitution of this state and the policy of all good government;

Election to be held, &c. II. BE IT ENACTED, *by the General Assembly of Maryland*, That on the eleventh day of May an election shall be held for a sheriff for Somerset county, agreeable to the directions of the fo government, and that Levin Gale, Thomas Hayward and Thomas Bruff, Esquires, or any tw them, shall hold the said election, and be judges of the qualifications of the voters, and shall return thereof to the governor and the council.

Governor, &c. to determine, &c. III. WHEREAS it is uncertain by our constitution what body has the power of determinin validity of elections for sheriffs, BE IT ENACTED, That the governor for the time being, the advice of the council, is hereby empowered to judge of and determine the validity of all elec for sheriffs, and if it shall appear that such elections have not been made fairly and freely, and a able to the constitution of this state, shall issue new writs of election for sheriffs agreeable to th rections of the form of government.

By 1786, ch. 22, the governor and council may issue summonses for witnesses and compel their attendance, or direct depo to be taken in the same manner as the general court; they are to give a copy of the complaint and notice of the time, and party does not then attend, may determine in his absence; they may adjudge the costs and expences to be paid by either and compel payment in the same manner as the general court.

CHAP. XX.

An ACT to punish certain crimes and misdemeanors, and to prev the growth of toryism. Lib. GR. fol. 59.

Preamble. WHEREAS the clemency of this state towards such of its subjects and inhabitants as are i cal to its freedom and independence, has not had the desired effect of reclaiming them their evil practices, but still pursuing their dark and criminal designs of enslaving America, they tinue to encourage and promote the operations of our enemies: And whereas every hope of u to the interest of their country the affections of these its unnatural and implacable enemies tinguished, and great disadvantages have arisen, and still more dangerous consequences may b

prev

ended, from a delay of effectual meaſures to ſuppreſs or remove them from the ſociety of a free ple, conſtrained by oppreſſion to declare their independence, and determined at all events to tain the ſame;

Certain perſons to ſuffer death, &c.

I. BE IT THEREFORE ENACTED, *by the General Aſſembly of Maryland*, That if any ſubject or inſtant of this ſtate ſhall, within or without the ſame, and if any perſon whatever, being an inhait of any other of the United States, ſhall, within this ſtate, levy war againſt the United States, ny of them, or ſhall adhere to any perſon bearing arms, or employed in the ſervice of Great-ain, againſt the United States, or any of them, or ſhall afford ſuch perſons, or any of them, id or comfort, or ſhall give them, or any of them, or any ſubject of Great-Britain, any intelli- of the warlike preparations or deſigns of the United States, or any of them, and ſhall be there- nvicted in the general court of this ſtate, or ſhall ſtand mute, or peremptorily challenge above number of twenty of the pannel, ſhall be adjudged guilty of treaſon againſt this ſtate, and ſhall r death without benefit of clergy, and forfeit all the eſtate which he had at the time of the com- on of the crime, to the uſe of this ſtate; and the ſeveral crimes aforeſaid ſhall receive the ſame ructions that have been given to ſuch of the ſaid crimes as are enumerated in the ſtatute of Ed- the third, commonly called the ſtatute of treaſons.

To loſe their eſtates, &c.

II. AND BE IT ENACTED, That if any ſubject or inhabitant of this ſtate, having knowledge of ctual commiſſion of any of the crimes aforeſaid, above declared to be treaſon, ſhall conceal the , and ſhall not, as ſoon as conveniently may be, diſcloſe and make the ſame known to the go- or, or ſome one of the judges or juſtices of this ſtate for the time being, ſuch perſon, on con- on thereof in the general court, ſhall be adjudged guilty of a miſpriſion of treaſon, and ſhall for- all the eſtate which he had at the time of the commiſſion of the crime, to the uſe of the ſtate.

Fine for maintaining the authority of G. Britain, &c.

V. AND BE IT ENACTED, That if any ſubject or inhabitant of this ſtate ſhall, by any word, open writing, printing, or other act, adviſedly and willingly declare, affirm, maintain or defend, the king or parliament of Great-Britain hath any authority, power or juriſdiction, in or over nited States, or any of them, or that any allegiance is due from any of the ſubjects or inhabi- of the United States, or any of them, to the king of Great-Britain, his heirs or ſucceſſors, or wickedly, corruptly or ſeditiouſly, perſuade or entice any of the ſubjects or inhabitants of this to return to or acknowledge any dependence on the crown and parliament of Great-Britain, or n any allegiance or obedience to the king of Great-Britain, his heirs or ſucceſſors, and ſhall be of convicted in the general court, ſuch perſon ſhall be fined not exceeding ten thouſand pounds nt money, and be impriſoned not more than five years, in the diſcretion of the court, or be ba- this ſtate for ever.

For perſuading perſons to reſiſt, &c.

V. AND BE IT ENACTED, That if any ſubject or inhabitant of this ſtate ſhall, by any word, open writing, printing, or other act, perſuade or excite any of the inhabitants of this ſtate to reſiſt preſent government thereof by force, or to oppoſe, or in any manner obſtruct, with force, the ution of any of the laws of this ſtate, ſuch perſon, being convicted thereof in the general court, be fined not exceeding two thouſand pounds current money, and be impriſoned not more than years, in the diſcretion of the court.

For concealing treaſon, &c.

VI. AND BE IT ENACTED, That if any ſubject or inhabitant of this ſtate ſhall know of any inten- deſign or attempt, to commit any of the crimes declared by this act to be treaſon againſt this and ſhall not reveal the ſame, as ſoon as conveniently may be, to the governor, or ſome one of dges or juſtices of this ſtate for the time being, ſuch perſon, on conviction thereof in the gene- ourt, ſhall be fined not exceeding one thouſand pounds current money, and impriſoned not more one year, in the diſcretion of the court.

For diſſuading perſons, &c.

VII. AND BE IT ENACTED, That if any ſubject or inhabitant of this ſtate ſhall adviſedly and ma- ſly, with an intention to obſtruct the ſervice, diſſuade, diſcourage or obſtruct, any perſon from ing or engaging in the army or navy of the United States, or any of them, ſuch perſon, on con- n thereof in the general court, ſhall be fined not exceeding one thouſand pounds current money, diſcretion of the court.

For diſcouraging perſons, &c.

VIII. AND BE IT ENACTED, That if any ſubject or inhabitant of this ſtate ſhall, by any word, deed, writing, printing, or other act, wickedly, corruptly or ſeditiouſly, diſſuade, diſcourage rify, any of the people of this ſtate from ſupporting the independency of the United States, or them, or ſhall directly or indirectly endeavour to ſupport or juſtify the meaſures taken by the

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king and parliament of Great-Britain againſt the United States, or any of them, and ſhall be th convicted in the general court, ſuch perſon ſhall be fined not exceeding one thouſand pounds cu money, in the diſcretion of the court.

And for corre-ſponding with enemies, &c.

IX. AND BE IT ENACTED, That if any ſubject or inhabitant of this ſtate, ſhall write or co any letter, or ſend or carry any meſſage, to any perſon employed in the ſervice of Great-Br againſt the United States, or any of them, without the leave of the governor of this ſtate, or one of the general officers of the army of the United States, or ſhall knowingly receive or bring letter or meſſage from any ſuch perſon, and ſhall not deliver or communicate the ſame, as ſo conveniently may be, to the governor, or ſome one of the judges or juſtices of the peace within ſtate, and ſhall be thereof convicted in any county court of this ſtate, ſuch perſon ſhall be fine exceeding one hundred pounds current money, in the diſcretion of the court.

Perſons forge-ing tickets, &c. to ſuffer death.

X. AND BE IT ENACTED, That if any ſubject or inhabitant of this ſtate ſhall, within or wit this ſtate, and if any perſon whatever ſhall, within this ſtate, forge or counterfeit any of the ti in the United States lottery, or ſhall forge or counterfeit any of the certificates, bills or note the continental loan-office, or alter the ſum expreſſed in any of the ſaid certificates, bills or n or ſhall offer, or cauſe to be offered, in payment, any ſuch counterfeit, forged or altered certifi bill or note, knowing the ſame to be counterfeit, forged or altered, and ſhall be thereof convict the general court, or ſhall ſtand mute, or peremptorily challenge above the number of twenty o pannel, ſuch perſon ſhall ſuffer death as a felon, without benefit of clergy.

Puniſhment for forging bills, &c.

XI. AND BE IT ENACTED, That if any ſubject or inhabitant of this ſtate ſhall, within or wit this ſtate, and if any perſon whatever ſhall, within this ſtate, forge or counterfeit any of the bi credit iſſued by congreſs, or by any aſſembly, convention, legiſlature, or other ſupreme authori this ſtate, or any other of the United States, or ſhall alter the ſum expreſſed in any of the ſaid of credit, or ſhall offer, or cauſe to be offered, in payment, any ſuch counterfeit, forged or al bill of credit, knowing the ſame to be counterfeit, forged or altered, and ſhall be thereof conv in the general court of this ſtate, or ſhall ſtand mute, or peremptorily challenge above the numb twenty of the pannel, ſuch perſon ſhall ſuffer death as a felon, without benefit of clergy.

Dangerous per-ſons may be ar-reſted, &c.

XII. AND BE IT ENACTED, That in caſe this ſtate ſhall be invaded by the enemy, the gov for the time being, with the advice of the council, ſhall have full power and authority to arre order to be arreſted, all perſons whoſe going at large the governor and council ſhall have good gro to believe may be dangerous to the ſafety of this ſtate, and the ſame perſons to confine during invaſion, to ſuch places as the governor and the council ſhall think proper, or to limit ſuch perſo particular diſtricts in this ſtate, or in their diſcretion to diſcharge ſuch perſons on ſecurity; and during any invaſion of this ſtate by the enemy, the *habeas corpus* act ſhall be ſuſpended, as to all perſons arreſted by the order of the governor and council.

Officers, &c. to take an oath.

XIII. AND BE IT ENACTED, That every ſenator, delegate to congreſs or aſſembly, member o council, electors of the ſenate, and every attorney at law, and all civil officers, and all perſons ing any office of truſt or profit in this ſtate, ſhall take, repeat and ſubſcribe, the following oa fidelity and ſupport to this ſtate, before he acts as ſuch, or enters into the execution of his o to wit: "I, A. B. do ſwear, that I do not hold myſelf bound to yield any allegiance or obedien "the king of Great-Britain, his heirs or ſucceſſors, and that I will be true and faithful to the "of Maryland, and will, to the utmoſt of my power, ſupport, maintain and defend, the freedom "independence thereof, and the government as now eſtabliſhed, againſt all open enemies, and ſ "and traiterous conſpiracies, and will uſe my utmoſt endeavours to diſcloſe and make known t "governor, or ſome one of the judges or juſtices thereof, all treaſons or traiterous conſpiracies "tempts or combinations, againſt this ſtate or the government thereof, which may come to my k "ledge; ſo help me GOD."

This ſection is repealed by 1789, ch. 11.

Within three months, &c.

XIV. AND BE IT ENACTED, That every member of the preſent general aſſembly, and the co ſhall take, repeat and ſubſcribe, the ſaid oath, immediately after the paſſing this act, and befo acts as ſuch; and if any perſon now holding any office of truſt or profit, ſhall not, within months after the end of this preſent ſeſſion, take, repeat and ſubſcribe, the ſame oath, or affirm if a quaker, menoniſt or tunker, he ſhall be *ipſo facto* diſqualified to hold ſuch office, and the of ſuch perſon ſhall be filled agreeable to its inſtitution.

XV.

V. AND BE IT ENACTED, That every voter for delegates or ſheriffs, or for electors of the ſenate, quired, and every other perſon required by law to take the oath of fidelity and ſupport to this ſhall take, repeat and ſubſcribe, the ſame oath, or if a quaker, menoniſt or tunker, ſhall ſolemn'y, rely and truly, declare and affirm thereto in the words thereof. CHAP. XX. Voters to take the oath.

VI. AND BE IT ENACTED, That if any perſon ſhall travel into or paſs through or from this ſtate y other, without a paſs or ſafe conduct, ſigned by ſome member of congreſs, or by the gover- or ſome judge or juſtice of this ſtate, or of the ſtate of which he is a ſubject or reſident, he ſhall able to be apprehended and carried before ſome judge or juſtice for examination, who may com- him to the public gaol, if an offender againſt the laws, or dangerous perſon to this ſtate, or to United States, or any of them, there to remain till diſcharged by due courſe of law, and if not fender or dangerous as aforeſaid, the ſaid judge or juſtice may diſcharge him and give him a paſs. Perſons not to travel without a paſs.

VII. WHEREAS ſeveral perſons, late inhabitants of this ſtate, have, ſince the fourteenth day of ſt, ſeventeen hundred and ſeventy-five, deſerted the defence of this country in the preſent juſt eceſſary war, BE IT ENACTED, That no perſon whatſoever, who hath deſerted as aforeſaid, or erſon who ſince the ſaid time hath left this ſtate without leave, ſhall at any time hereafter, s he returns to this ſtate within twelve months, and during the preſent war, and takes and ſub- es the oath of fidelity aforeſaid within ten days after his return,) be capable of holding any office ſt or profit within this ſtate; nor ſhall any perſon, now a reſident of this ſtate, who hath refuſed glected to ſubſcribe the aſſociation, and ſhall not take the ſaid oath of fidelity on or before the ay of Auguſt next, be capable of holding any office as aforeſaid. Penalty on perſons who have deſerted, &c.

VIII. PROVIDED ALWAYS, That nothing herein contained ſhall extend to ſuch perſons who from ous principles have not ſubſcribed or ſhall not ſubſcribe the aſſociation. Proviſo.

IX. AND BE IT ENACTED, That this act ſhall be publicly read by the clerk of the general court, by the clerk of every county court in this ſtate, at their next court reſpectively, immediately empannelling the grand jury, and alſo by every miniſter, teacher or preacher of the goſpel, im- ately after divine ſervice, at every church, chapel or meeting-houſe, where they officiate, on Sunday in the month of May next; and every clerk, miniſter, teacher or preacher, failing ſo , ſhall forfeit and pay the ſum of five pounds, to be recovered with coſts by the informer before uſtice of the peace of the county where the offence ſhall be committed. Act to be read, &c.

X. AND BE IT ENACTED, That the general and county courts within this ſtate ſhall, at all and of their courts, give this act in charge to the grand juries of their reſpective courts. And given in charge.

CHAP. XXI.

ACT to aſſeſs and impoſe an equal tax on all property within this ſtate. Lib. GR. fol. 64. Paſſed 20th of April, 1777.

CHAP. XXII.

ACT relating to the aſſeſſment of property within this ſtate. Lib. GR. fol. 79.

CHAP. XXIII.

ACT for the payment of the journal of accounts. Lib. GR. fol. 80.

CHAP. XXIV.

ACT for enlarging the powers of the governor and the council. Lib. GR. fol. 81.

o continue till the 5th day of the ſucceeding ſeſſion. Continued by June, 1777, ch. 7, to the 5th day of the ſucceeding n. Continued by October, 1777, ch. 2, to the 5th day of the ſucceeding ſeſſion, Expired. Revived by March, 1778, ch. 3, e end of the ſeſſion. Expired.

At a SESSION of the GENERAL ASSEMBLY of MARYLAN begun and held at the CITY of ANNAPOLIS, on Monday, 16th of June, in the year of our Lord 1777, and ended the 2 day of the ſame month, the following laws were enacted.

THOMAS JOHNSON, ESQUIRE, GOVERNOR.

CHAP. I.

Paſſed 29th of June, 1777.

An ACT to continue an act for ſuſpending the power of the commiſſioners for building a court-h and priſon in Harford county. Lib. GR. fol. 83.

CHAP. II.

An ACT directing the juſtices of Frederick county to aſcertain the number of taxables in Waſh ton and Montgomery counties, and to enable the ſheriffs of thoſe counties to collect their pro tion of the public levy, as ſettled by the juſtices of Frederick county. Lib. GR. fol. 2.

CHAP. III.

An ACT to enable the corporation of the city of Annapolis to or leaſe certain lands, and to enlarge and aſcertain the juriſdict of the mayor's court of the ſaid city. Lib. GR. fol. 3.

Preamble.

WHEREAS the ground heretofore laid out and reſerved for the building of ſhips and other ſels within the ſaid city is found to be inconvenient for ſuch purpoſes,

Corporation to ſell or leaſe ground, &c.

II. BE IT ENACTED, *by the General Aſſembly of Maryland*, That the corporation of the city of napolis, and their ſucceſſors, ſhall have full power and authority to ſell and diſpoſe of the ſaid gro or to leaſe the ſame, as they ſhall think moſt advantageous, and to make and execute any convey or conveyances, leaſe or leaſes, thereof, or any part thereof, as they may think proper, under ſeal of the corporation, and ſuch conveyance or leaſe ſhall be good and effectual in law, if reco within the time limitted by law; and that ſo much of the monies ariſing from ſuch ſales, and of rents to be reſerved, or any leaſes reſpecting the premiſes, ſhall be applied towards the purcha one or more places within the ſaid city, as the ſaid corporation ſhall think fit for the buildin ſhips and other veſſels, and the overplus, if any, ſhall be applied by the corporation of the ſaid for the benefit thereof.

Conveyances to be made to the mayor, &c.

III. AND BE IT ENACTED, That every conveyance for any ground whatſoever, which ſhall be chaſed as aforeſaid by the ſaid corporation, ſhall be made to the mayor and corporation of the city, and their ſucceſſors, and that all rents reſerved on any leaſes to be made as aforeſaid by ſaid corporation, ſhall be reſerved and made payable to the ſaid mayor and corporation, and t ſucceſſors, and that ſuch conveyance ſhall be good and effectual in law, if recorded within the t appointed by law.

Fines, &c. how to be recovered, &c.

IV. WHEREAS, by the charter of the ſaid city, all pains and penalties impoſed by the laws of ſaid corporation are recoverable by diſtreſs and ſale of the offenders goods, and it is repreſente this general aſſembly, that it frequently happens that offenders againſt the by-laws of the ſaid co ration eſcape with impunity, not being poſſeſſed of any goods whereon the ſaid penalties may be vied; for remedy whereof, BE IT ENACTED, That all fines, forfeitures and penalties, which been heretofore impoſed, or ſhall be hereafter impoſed, by any laws of the ſaid corporation, or wh have been heretofore incurred, or ſhall be hereafter incurred, ſhall and may be recovered by exec on againſt the perſon of the offender, or by execution againſt the perſon of his bail or ſecurity, if ſheriff ſhall return his writ *non eſt inventus* againſt the principal.

A tax may be impoſed.

V. AND, for the better defraying the charge and expence annually incurred by the corporatio the ſaid city for the ſitting of the mayor's court, the meeting of the corporation, the payments of proſecutor, clerks, conſtables, and other officers, and for the repairs of the ſtreets and dock, and other neceſſary purpoſes, BE IT ENACTED, That the corporation of the ſaid city ſhall have power and authority to impoſe a tax on all property within the ſaid city or precincts thereof, not ceed

egling the ſum of ſix-pence (a) in any one year for every one hundred pounds worth of property, CHAP. III.
rect the collection thereof by execution thereof againſt the property or perſon of the owner.

(a) This ſum was increaſed to one ſhilling by 1784, ch. 49, and to two ſhillings and ſix-pence by 1797, ch. 115, which act was o continue to 1ſt November, 1800, &c.

CHAP. IV.

ACT to revive and aid the proceedings of Cæcil county court. Lib. GR. fol. 4. Paſſed 29th of June, 1777.

CHAP. V.

ACT for the recovery of fines on non-enrollers. Lib. GR. fol. 5.

CHAP. VI.

ACT to revive the proceedings of Saint-Mary's county court. Lib. GR. fol. 6.

CHAP. VII.

ACT to continue an act (b) for enlarging the powers of the governor and council. Lib. GR. ol. 7.

(b) February, 1777, ch. 24, to the 5th day of the next ſeſſion. Continued by October, 1777, ch. 2, to the 5th day of the xt ſeſſion. Expired. Revived by March, 1778, ch. 3, to the end of the next ſeſſion. Expired.

CHAP. VIII.

ACT to reinforce the American army. Lib. GR. fol. 7.

CHAP. IX.

ACT to remove the records of the prerogative office. Lib. GR. fol. 8.

CHAP. X.

ACT to repeal part of an act (c) to promote the recruiting ſervice. Lib. GR. fol. 9.

(c) February, 1777, ch. 3.

CHAP. XI.

ACT to puniſh foreſtalling and engroſſing, and for other purpoſes. Lib. GR. fol. 9.

To continue for one year, &c. Expired.

CHAP. XII.

ACT for the ſpeedy recovery of ſmall debts out of court. Lib. GR. fol. 83.

To continue three years, &c. Further continued by October, 1780, ch. 12, for one year, &c. by November, 1781, ch. 7, for ree years, &c. by November, 1784, ch. 83, for ſeven years, &c. by November, 1787, ch. 38, for two years, &c. Repealed with continuing acts by 1791, ch. 68, and ſupplement by 1791, ch. 68.

CHAP. XIII.

ACT for the ſpecial appointment of inſpectors. Lib. GR. fol. 87.

CHAP. XIV.

Supplement to the acts (d) for aſſeſſment of property. Lib. GR. fol. 89.

(d) February, 1777, ch. 21, 22.

CHAP. XV.

ACT for the relief of Jean Collineau, of Marſeilles, in the kingdom of France. Lib. GR. ol. 90. A Private Act.

CHAP. XVI.

ACT relating to the treaſurers. Lib. GR. fol. 90.

CHAP. XVII.

ACT to regulate the militia. Lib. GR. fol. 91.

Supplementary acts October, 1777, ch. 21, March, 1778, ch. 12, and June, 1780, ch. 3.

To continue one year. Continued by October, 1778, ch. 15, for one year, &c. by November, 1779, ch. 12, for one year, &c. y May, 1781, ch. 29, for one year, &c. by April, 1782, ch. 28, to 1ſt of January, 1783, by November, 1783, ch. 1, revived d continued till the end of the next ſeſſion, and the reviving act continued by 1784, ch. 83, to the end of the next ſeſſion. xpired.

CHAP. XVIII.

ACT for the payment of the journal of accounts. Lib. GR. fol. 101.

CHAP. XIX.

ACT to direct the recording of a deed to William Smith. Lib. GR. fol. 101. A Private Act.

At a SESSION of the GENERAL ASSEMBLY of MARYLAN begun and held at the CITY of ANNAPOLIS, on Friday, 31ſt of October, in the year of our Lord 1777, and ended the day of December, the following laws were enacted.

THOMAS JOHNSON, ESQUIRE, GOVERNOR.

CHAP. I.

Paſſed 3d of Dec. 1777.

An ACT to puniſh certain crimes. Lib. GR. fol. 103.

Perſons deſtroying magazines, &c. to ſuffer death.

BE IT ENACTED, *by the General Aſſembly of Maryland*, That if any ſubject or inhabitant of this within or without this ſtate, and if any perſon ſhall, within this ſtate, wilfully and mali ly burn or deſtroy, or attempt or conſpire to burn or deſtroy, any magazine of proviſions, or o tary or naval ſtores, belonging to this ſtate, or the United States, or any of them, and if any p ſhall wilfully and malicioufly burn or deſtroy, or attempt or conſpire to burn or deſtroy, or ſha fully betray, or voluntarily yield or deliver, or attempt or conſpire to betray, yield or deli the enemy, any veſſel belonging to the United States, or to this or any other of the United S or to any ſubject of this or any other of the United States, and ſhall be thereof convicted i general court of this ſtate, or ſhall ſtand mute, or peremptorily challenge above the number t of the pannel, ſuch perſon, his aider or abettor, ſhall ſuffer death as a felon without bene clergy; provided nevertheleſs, that ſo much of this act as relates to private property, ſhall b continue in force for and during the preſent war with Great-Britain, and no longer.

CHAP. II.

An ACT to continue an act (a) for enlarging the powers of the governor and the council. GR. fol. 103.

(a) February, 1777, ch. 24, continued to the 5th day of the ſucceeding ſeſſion. Expired. Revived by March, 1778, to the end of the ſeſſion. Expired.

CHAP. III.

* 1774, ch. 14.

A Supplement to an act, entitled, * An act to unite the free-ſch of Saint Mary's, Charles and Prince-George's counties. Lib. G fol. 104.

Preamble.

WHEREAS it is repreſented to the general aſſembly, that the truſtees for Charlotte-Hall ſ have purchaſed lands for the ſaid ſchool, but have by experience found it extremely di to procure the number of fifteen truſtees to meet for tranſacting the buſineſs of the ſaid ſchool

Seven truſtees may meet, &c.

II. BE IT ENACTED, *by the General Aſſembly of Maryland*, That any ſeven or more of the ſaid tees, with or without the preſident, ſhall be and are hereby empowered to meet at the ſaid ſ from time to time, and they, or the major part of them, ſo met, may do any act, matter or t which the ſaid preſident and truſtees might do, any law to the contrary notwithſtanding.

CHAP. IV.

An ACT to procure cloathing for the quota of this ſtate of the American army. Lib. GR. fol.

CHAP. V.

An ACT to enable the ſurviving viſitors of Cæcil county free-ſch to fill up the vacancies for viſitors in ſaid ſchool. Lib. GR. fol. 1

Preamble.

WHEREAS it is repreſented to this preſent general aſſembly, that many of the viſitors o free-ſchool in ſaid county are either dead, removed, or unwilling to act, whereby there not remain a number ſufficient for filling up vacancies, and doing other the duties incumbe viſitors, and it being apprehended that leſs than four cannot act under the former laws of this ſt

Viſitors, how to be choſen.

II. BE IT ENACTED, *by the General Aſſembly of Maryland*, That the ſurviving viſitors of ſaid ſc who are willing to act, ſhall and they are hereby authoriſed and empowered to proceed, with all venient ſpeed, to the choice of other viſitors, to make up the number four, and when duly qual they ſhall have all the powers heretofore given to viſitors by the act, entitled, A petitionary a free-ſchools, any law or uſage to the contrary notwithſtanding.

CH

CHAP. VI.

AN ACT to enable the truſtees of the poor in Frederick county to ſell the houſes and ground therein mentioned. Lib. GR. fol. 107.

Paſſed 3d of Dec. 1777.

WHEREAS the truſtees of the poor in Frederick county have, by their humble petition, repreſented to the general aſſembly, that there is on the lot of ground purchaſed for the purpoſe of building a houſe for the uſe and accommodation of the poor of the ſaid county, a dwelling-houſe, and ſome out houſes, which are now of no uſe to the public, other than renting them for the ſmall ſum of twenty-five pounds current money; that in a ſhort time the repairs neceſſary to be done to them will be conſiderable; that the intereſt of the money which the ſaid houſes, with a ſmall portion of the ground, would ſell for, will far exceed the annual rent: And whereas the ſaid truſtees pray that an act may paſs, empowering them to ſell the ſaid houſes, with as much ground adjoining thereto as they think can be conveniently ſpared without injury to the poor-houſe lot, and to apply the money ariſing from the ſale thereof in diſcharge of the debts now due from the ſaid truſtees, and for the ſupport of the poor; and it appearing to the general aſſembly to be reaſonable that the ſaid truſtees ſhould have a power to ſell the ſaid houſe and ground for the purpoſes above recited; Preamble.

I. BE IT ENACTED, *by the General Aſſembly of Maryland*, That the truſtees of the poor of Frederick county, or any three of them, be and are hereby empowered to ſell, by public vendue, the houſes aforeſaid, with as much ground adjoining the ſame as they in their judgment think can be conveniently ſpared without injuring the poor-houſe lot, provided the quantity of ground expoſed to ſale do not exceed half an acre. Truſtees to ſell the houſes, &c.

II. AND BE IT ENACTED, That the ſaid truſtees, or any three of them, may and they are hereby required and directed to apply the money ariſing from the ſale of the ſaid houſes and ground in diſcharge of the debts now due from the truſtees of the poor of the ſaid county, and which may hereafter become due. And apply the money.

CHAP. VII.

AN ACT to aſcertain and eſtabliſh a diviſional line between Anne-Arundel and Calvert counties. Lib. GR. fol. 108.

WHEREAS the line of diviſion between Anne-Arundel and Calvert counties is not well aſcertained, by means whereof inconveniencies have ariſen, and in particular, divers perſons, living on the borders of thoſe counties, have not contributed any thing towards the public expences; Preamble.

I. BE IT THEREFORE ENACTED, That for fixing and aſcertaining the ſaid diviſional line, the following perſons be and are hereby authoriſed and empowered to act as commiſſioners, viz. For Anne-Arundel county, Mr. John Weems and Mr. Richard Green; for Calvert county, Mr. Edward Gantt and Mr. William Lyles; which ſaid commiſſioners, or the major part of them, ſhall and are hereby authoriſed and required to meet at ſome place near the borders of ſaid counties, and call before them, by ſummons to be iſſued by them, and directed to the ſheriff of the county, all perſons who ſhall be deemed proper to give teſtimony concerning the ancient and reputed diviſion of ſaid counties; and the ſaid commiſſioners, or the major part of them, are alſo hereby empowered to ſearch the records of the general court, or any county court, for teſtimonials, to aſcertain the diviſion line aforeſaid; and ſhall be allowed at the rate of fifteen ſhillings each, per day, for their expences, and may appoint a clerk, who ſhall have the ſame allowance for his attendance; and all witneſſes attending the ſaid commiſſioners ſhall be allowed the ſame as witneſſes attending the county courts; the expences, and all other charges accruing in conſequence of this act, to be paid by the ſaid counties of Anne-Arundel and Calvert, in proportion to the aſſeſſment of property in thoſe counties reſpectively; and the ſaid commiſſioners, or the major part of them, ſhall and they are hereby required to return their proceedings, together with the proofs whereon the ſame may be founded, to the next general aſſembly, for their approbation, and that the ſame diviſion, if found reaſonable, may be there ratified and confirmed. Commiſſioners appointed, &c.

CHAP. VIII.

AN ACT for recruiting the quota of troops of this ſtate of the American army, and furniſhing them with cloathing and other neceſſaries. Lib. GR. fol. 109.

WHEREAS an enliſtment of volunteers on bounty is the moſt eligible mode to furniſh two thouſand men for recruiting our quota of the American army, Preamble.

II. BE

CHAP. VIII.

Men apportioned.

II. BE IT ENACTED, *by the General Assembly of Maryland*, That the said two thousand men portioned amongst the several counties according to the number of militia in each county, in m following, viz. St. Mary's county 110, Anne-Arundel 145, Charles 92, Dorchester 124, Cæci Talbot 77, Worcester 110, Harford 128, Washington 94, Kent county 95, Calvert 58, So 103, Baltimore 221, Queen-Anne's 120, Frederick 243, Prince-George's 100, Caroline 85, gomery 122.

Governor, &c. to appoint, &c.

III. BE IT ENACTED, That the governor and the council be empowered to appoint, by wa active and spirited persons in each county, to recruit out of the inhabitants thereof the num men allotted to be raised in such county, allowing not more than one recruiting officer to twenty recruits, and that such officer be furnished with money out of the public treasury allowed sixteen dollars for every able bodied recruit by him procured, in full for his troub expences.

Bounty to each recruit.

IV. BE IT ENACTED, That a bounty of fifty acres of land, at the expiration of three yea granted to each recruit, and also that forty dollars, over and above the continental bounty, lowed to each able bodied recruit who shall enlist for three years, and that such recruit be fur with a pair of shoes and stockings by this state, over and above the continental allowance.

May choose his regiment.

V. BE IT ENACTED, That every recruit, at the time of his enlistment, shall have his cho the regiment or company in which he will serve, provided such regiment or company be not ful if full, he may choose any other regiment or company, which shall be entered against his nam returned to the officer appointed to receive such recruit.

To be exempt from taxes.

VI. BE IT ENACTED, That the whole corps of non-commissioned officers and privates a raised, or hereafter to be raised, shall be exempt from all taxes during the time of their be duty, and for the space of four years after they are regularly discharged.

Pardon may be granted, &c.

VII. BE IT ENACTED, That a pardon, at the discretion of the governor and the counc granted to such disaffected persons that were arrested, or hereafter shall be arrested, for any against this state, who shall voluntarily enlist for three years, and that such persons shall be e to the bounty and privileges aforesaid.

Allowance for recruits.

VIII. BE IT ENACTED, That every recruiting officer sent down from the regular army to re be allowed at the rate above mentioned for every able bodied recruit by them enlisted.

Land to be paid within three years, &c.

IX. AND BE IT ENACTED, That fifty acres of land, given as a bounty by this act, shall b to each recruit, or his legal representative, at the expiration of three years from the time of ment, in such manner as the general assembly shall hereafter direct; and if no other provi made for laying out the quantity of land that may be necessary for the purpose aforesaid with state, the same shall be procured by this state within the limits thereof at the public expence vided always, that if any person hereafter to be enlisted shall desert the service, he shall not titled to the fifty acres of land herein before mentioned.

Families to have assistance, &c.

X. AND, for the further encouragement of those who shall enter into the service, BE IT ENA That if any of the recruits to be raised in virtue of this law shall have families who may st need of the public assistance, the several county courts are hereby authorised and empowered ford the said families, during the absence of such recruits in the service of this or the United S such assistance as the said courts respectively may, in their discretion, judge adequate and prope

To be defrayed by the state.

XI. AND BE IT ENACTED, That all expences accruing by granting any assistance to the fami such recruits be defrayed by the state; and that the said courts have full power and authority to upon the treasurers of the eastern and western shore respectively for any sums of money necessa defraying such charges.

Bounty for recruits.

XII. AND, for the further encouragement of the recruiting officers to be appointed accord the directions of this act, BE IT ENACTED, That a bounty of one hundred acres of land, to b cured and laid out in such manner and place within this state as the general assembly may her direct, shall be given to every such recruiting officer, or his legal representative, within three from the first day of February next, who shall enlist and deliver twenty able bodied effective re on or before twentieth day of January next, and also a bounty of fifty acres of land, to be pro

oresaid, to every recruiting officer who shall enlist and deliver twenty able bodied effective re- on or before the first day of March next.

III. AND BE IT ENACTED, That the governor and the council are hereby empowered to draw e sheriffs of the several counties, or any of them, for any sums of money collected in virtue of aws relating to the assessment of property within this state that may be necessary to carry into tion this law, as far as it relates to the recruiting service. Governor, &c. to draw, &c.

IV. AND BE IT ENACTED, That the governor and the council shall have full power and authority ntract with any king, prince or state, or any private person whatsoever, or their agents, for the ase and importation of arms, cloathing, military stores, and other necessaries, upon such terms, n such manner, as the general assembly shall from time to time prescribe and direct. They may contract, &c.

V. AND BE IT ENACTED, That the recruits aforesaid shall be carried by the recruiting officers ctively before the lieutenant of the county in which such recruits are raised, to pass muster, and rt of the bounty aforesaid shall be drawn by any recruiting officer for any recruit not passed by lieutenant. Recruits to pass muster.

CHAP. IX.

Supplementary act to an act, entitled, (a) An act to establish orphans courts in the several counties of this state. Lib. GR. fol. 112.

Passed 3d of Dec. 1777.

(a) February, 1777, ch. 12.

WHEREAS by the said act not less than three of the justices of the said courts can call and ad- journ the same on the several days of meeting in the said act specified, and as the extremity eather, and other casualties, have prevented, and may frequently prevent, that number of jus- from attending on the said days of meeting, by means whereof the business of said courts hath and may be much impeded; for remedy whereof, Preamble.

BE IT ENACTED, *by the General Assembly of Maryland*, That it shall and may be lawful for any two of the justices of the said orphans court who may or shall hereafter attend on any of the tive days established by the said act for holding the said orphans court, or on any day to which court shall have been regularly adjourned, to call and adjourn the same from time to time, until or more of the said justices shall attend, who may proceed to the business of the said court, ac- ng to the directions of the said act. One justice may adjourn.

. AND, whereas the said court hath not any power or authority, by the said act, to compel any n or persons concerned in testamentary affairs, or any witnesses, whose residence is in any other y of this state, to appear before them, and for the want of such power and authority the repre- tives of deceased persons have been and may be much injured; BE IT THEREFORE ENACTED, it shall and may be lawful for the said courts respectively to call, or cause to be brought before by summons, attachment, or other process, (as the case may require, directed to the sheriff of ounty where the party may reside,) any person or persons who may reside in any other county n this state, and who may have administered or taken letters testamentary, or shall hereafter ad- er or take such letters, and also all witnesses necessary to establish the truth of controverted within their county, and in every respect the said courts shall have all the power, jurisdiction and rity, within this state, to issue process against persons administering or taking letters testamen- s aforesaid, and witnesses, that the commissary-general hath heretofore had, used or practised. Courts to have the same power, &c.

. AND BE IT ENACTED, That the register of wills, when required, shall, in the recess of the court, take all probats of wills, grant letters of administration, and letters testamentary, also ants to appraisers, in cases where there is no dispute, and every respect have the same power, diction and authority, that the deputy-commissary hath heretofore had, used or practised, any in the said act to the contrary notwithstanding. Register to take probats, &c.

. AND, whereas in several of the counties of this state, the judges of the orphans courts have ed or neglected to act, whereby much inconvenience hath arisen and may arise, unless remedied immediate provision; BE IT THEREFORE ENACTED, That it shall and may be lawful for the s of the orphans court aforesaid, appointed or to be appointed in the several counties where may have neglected or refused as aforesaid, to meet at the respective places of holding their said courts, Justices to meet, &c.

CHAP. IX.

courts, on the fourth Tuesday of December instant, and proceed to do business as fully as if they met at the time appointed in the act for establishing orphans courts, any thing to the contrary withstanding.

See the note under the original act.

CHAP. X.

Passed 3d of Dec. 1777.

An ACT for the regulation of officers fees. Lib. GR. fol. 113.

To continue until the 1st of November, &c. Expired.

CHAP. XI.

An ACT to amend the law (a) to punish forestalling and engrossing, and for other purposes. GR. fol. 138.

(a) June, 1777, ch. 11. Expired with the principal act, viz. at the end of October session, 1778.

CHAP. XII.

An ACT to empower the county courts to issue *subpœnas* for w nesses residing in other counties to attend trials to be had be such courts, and to direct the manner of issuing executions fr one county to another. Lib. GR. fol. 140.

Clerk may issue summons, &c.

BE IT ENACTED, *by the General Assembly of Maryland*, That it shall and may be lawful for the cle any county court to issue summons for witnesses residing in a different county, to testify in to be had before such court, which summons shall be directed to the sheriff or coroner (as the may require,) of the county where the witnesses reside, and returned to the court before whic trial is to be had.

Witnesses may be attached.

II. AND BE IT ENACTED, That all witnesses, as aforesaid summoned, shall, in case of no tendance, be liable to attachment (b) and fine, in like manner as if such witnesses resided i county where such trial is had.

(b) By 1795, ch. 23, the sheriff to whom such attachment shall be directed, (on the non-attendance of any witnes make return thereof to the court by which it shall be issued, and produce the party before the said court to abide their sente

Executions may issue, &c.

III. AND BE IT ENACTED, That it shall and may be lawful for the clerks of the several c courts, and they are hereby authorised and required, on application of the plaintiff, in any judg of their courts respectively, to issue executions against any defendant who hath removed, or remove, from the county in which such judgment is or shall be had, to another county; which cution shall be directed to, and served by, the sheriff or coroner (as the case may require,) o county where such defendant may reside, and returned to the court of the county of which sheriff or coroner; and it shall be sufficient for the plaintiff, to entitle himself to the benefit of execution, to produce before the court to which the same shall be returnable, a short copy o judgment by him had, attested by the clerk of the court before which the same is had.

By 1795, ch. 23, the execution may be recovered, in virtue of such short copy from the court to which it was returned the judgment had been rendered therein, and the same proceedings may be had thereon.

Proviso.

IV. PROVIDED NEVERTHELESS, That no execution shall issue on any judgment heretofore obta which has been stayed by order of the court, during the time the said court have directed such

V. AND, whereas by the act, entitled, (c) An act to open the courts of justice, and for purposes, it was enacted, that in all cases where judgment hath already been, or shall hereaft obtained, in any court of law, the plaintiff or plaintiffs, to entitle himself to execution, shall the court in which such judgment hath been or shall be obtained, for leave to issue such execu and the court so moved shall and may, in their discretion, upon consideration of particular distre the family of the defendant, consequent on such execution, stay the same, for a time not more

Clause repealed.

six months; BE IT ENACTED, That the said recited clause be and is hereby repealed.

(c) February, 1777, ch. 15.

CHAP. XIII.

* Chapter 10.

A Supplement to the act for the regulation of officers fees. * Lib. GR. fol. 141.

Expired with the principal act, viz. at the end of the session of March, 1778.

CHAP. XIV.

An additional supplement to the acts (d) for assessment of property. Lib. GR. fol. 143.

(d) February, 1777, ch. 21, 22.

CH

CHAP. XV.

CT to revive the proceedings of Queen-Anne's county court. Lib. GR. fol. 149. Paſſed 3d of Dec. 1777.

CHAP. XVI.

ACT relating to the qualification of jurors. Lib. GR. fol. 150.

HEREAS by an act of aſſembly of this ſtate, paſſed at the city of Annapolis on the fifth day of February, ſeventeen hundred and ſeventy-ſeven, * entitled, An act to open the courts of , and for other purpoſes, it is provided, that it ſhall and may be lawful for the ſeveral ſheriffs ſtate to ſummon, from their reſpective counties, to the general court on their reſpective jurors, freemen of their reſpective counties, of the moſt wiſdom and experience, having a old of fifty acres of land in his county, or property in the ſtate above the value of three hun- pounds current money: And whereas it is as expedient to reduce the qualification of jurors in her courts of this ſtate as in the general court, Preamble. * Chapter 15.

E IT ENACTED, *by the General Aſſembly of Maryland*, That from and after the end of this pre- ſeſſion of aſſembly, it ſhall and may be lawful for the ſeveral and reſpective ſheriffs within this to ſummon to any of the courts within their reſpective counties, freemen of their reſpective es, of the moſt wiſdom and experience, having a free-hold of fifty acres of land in his county, perty in this ſtate above the value of three hundred pounds current money; and that no chal- ſhall be allowed to any perſon for the want of free-hold, any law, cuſtom or uſage, to the con- notwithſtanding. Qualification of jurors.

See the note under the act of February, 1777, ch. 15, ſection 10.

CHAP. XVII.

CT of indemnity. Lib. GR. fol. 150.

CHAP. XVIII.

CT to aſcertain the allowance of juſtices, jurymen, witneſſes and conſtables. Lib. GR. fol. 153.

To continue in force twelve months, &c. Expired.

CHAP. XIX.

ACT to enable the judges of the general court to appoint their erks, and to empower ſuch clerks to provide repoſitories for the cords. Lib. GR. fol. 154.

HEREAS clerks of the general court have not been appointed in virtue of the reſolve of the general aſſembly at their ſeſſion in February laſt, and it is neceſſary that ſuch clerks ſhould be ted before the next terms; Preamble.

E IT THEREFORE ENACTED, *by the General Aſſembly of Maryland*, That the judges of the gene- urt, or any one of them, ſhall have full power and authority to meet at the city of Annapolis, Talbot court-houſe, on ſuch days as the ſaid judges, or any two of them, ſhall determine and t, and qualify clerks for the ſaid court, Judges to meet, &c.

AND BE IT ALSO ENACTED, That the clerks of the ſaid court ſhall reſpectively, under the ions of the judges, provide fit and proper repoſitories for the records of ſuch court at the pub- ence. Clerks to pro- vide repoſito- ries.

CHAP. XX.

ACT for the better ſecurity of the government. Lib. GR. ol. 154.

plementary and other acts March, 1778, ch. 15, October, 1780, ch. 46, May, 1781, ch. 27, November, 1781, ch. 17, mber, 1782, ch. 13, 1786, ch. 14.

HEREAS in every free ſtate allegiance and protection are reciprocal, and no man is entitled to the benefit of the one who refuſes to yield the other, and as every inhabitant of this ſtate the protection and benefit of the government and laws thereof, and it is reaſonable that every ſhould give teſtimony of his attachment and fidelity to this ſtate, and the preſent government of, as now eſtabliſhed, Preamble.

E IT ENACTED, *by the General Aſſembly of Maryland*, That every free male perſon within this above eighteen years of age, unleſs a quaker, menoniſt or tunker, ſhall, on or before the firſt Oath to be taken, &c.

CHAP. XX.

day of March next, take, repeat and ſubſcribe, the oath of fidelity and ſupport to this ſtate, con in the act, entitled, (a) An act to puniſh certain crimes and miſdemeanors, and to prevent the g of toryiſm; and every free male quaker, menoniſt or tunker, within this ſtate, above eighteen of age, ſhall, on or before the firſt day of March next, ſolemnly, ſincerely and truly declare a firm, in the words of the ſaid oath, and thereto ſubſcribe his name.

(a) February, 1777, ch. 20.

Before ſome magiſtrate.

III. AND BE IT ENACTED, That the ſaid oath and affirmation ſhall be taken within the time ſaid before ſome magiſtrate of the county or city where the perſon who takes ſuch oath or a tion reſides.

Who is to keep two books, &c.

IV. AND BE IT ENACTED, That every magiſtrate aforeſaid ſhall keep two paper books, one perſons who ſhall take the oath aforeſaid, and the other for all perſons who ſhall not take th aforeſaid, and the other for all perſons who ſhall take the affirmation aforeſaid, prefixing to one ſaid books the oath aforeſaid, and to the other the affirmation aforeſaid; and all perſons requi this act to take the ſaid oath or affirmation, ſhall, after taking the ſame, ſubſcribe his name th in ſuch book as contains the oath, if ſuch perſon takes the ſaid oath, or in ſuch book as contai affirmation, if ſuch perſon takes the ſaid affirmation, and if any ſuch perſon cannot write his na ſhall make his mark, and the magiſtrate ſhall thereto ſet his name.

Make out copies, &c.

V. AND, for the aſcertaining ſuch as ſhall neglect to take the ſaid oath, or affirmation, an there may be a record evidence of ſuch neglect, BE IT ENACTED, That every magiſtrate afo ſhall make out fair copies of his ſaid books, with all convenient diſpatch after the aforeſaid fi of March, and the ſame tranſmit to the governor and council of this ſtate, and ſhall deliver t ginal books to his next county court which ſhall happen after the ſaid firſt day of March next, to be recorded.

And attend one day in a week, &c.

VI. AND BE IT ENACTED, That every magiſtrate of the county ſhall, and he is hereby en and required, to attend one day in every week, until the ſaid firſt day of March next, at th convenient places in his neighbourhood, with his books aforeſaid, for the purpoſe of admini the oath or affirmation aforeſaid, and for the purpoſe of having the ſame ſubſcribed to, in m and form aforeſaid; and the ſaid juſtices ſhall give public notice, by advertiſement, of ſuch and days of meeting as aforeſaid.

A liſt to be made out, &c.

VII. AND BE IT ENACTED, That every conſtable of every hundred ſhall, before the firſt March next, make out a fair alphabetical liſt of all the free male inhabitants, reſidents in hi dred, and not out of the ſtate, or hereafter not exempted from taking the ſaid oath, or affirm who ſhall be of the age of eighteen years, on or before the aforeſaid firſt day of March, and of the ſaid liſt, with all convenient diſpatch, tranſmit to the governor and council, and the o liſt ſhall deliver to the next county court of his county which ſhall happen after the aforeſaid fi of March next, there to be recorded.

Allowance to magiſtrates, &c.

VIII. AND BE IT ENACTED, That every magiſtrate ſhall be allowed in the county levy, th *per diem* allowance, for every day he ſhall attend in purſuance of this act to take the oath o mation aforeſaid, as is allowed the juſtices for their attendance in the county court; and the county courts are hereby empowered and directed to make the ſeveral conſtables in their co ſuch allowance for their trouble in making and returning the liſts aforeſaid, in their next levy, as to them ſhall appear reaſonable.

Penalty for neglect.

IX. AND BE IT ENACTED, That if any magiſtrate ſhall neglect to keep ſuch books, or ſhall n to make copies and tranſmit them to the governor and council, or ſhall neglect to deliver the o books, as reſpectively required by this act, he ſhall forfeit and pay the ſum of five hundred p current money; and every conſtable who ſhall neglect to make out the liſt, or neglect to tranſm copy of ſuch liſt, or ſhall neglect to return the original liſt, as reſpectively required by this act forfeit and pay the ſum of two hundred pounds current money.

Perſons neglecting to pay, &c.

X. AND BE IT ENACTED, That every perſon required by this act to take the oath or affir aforeſaid, and whoſe name or mark ſhall not appear on one of the magiſtrates books aforeſa manner and form preſcribed as aforeſaid, ſhall, for and during the life of ſuch perſon, in all and county aſſeſſments, pay a tax treble the tax which by ſuch public or county aſſeſſments ſh impoſed upon every hundred pounds worth of real or perſonal property within this ſtate, and

which ſaid tax ſhall be paid, collected and levied, as the ſaid public and county taxes are re- ively paid, collected and levied.

November, 1782, ch. 13, the treble tax which had been ſuſpended, &c. by other acts, was for ever remitted, and ſo much his act as impoſed it was repealed.

Worth, how to be aſcertained.

I. AND BE IT ENACTED, That the worth in real and perſonal property, of every ſuch perſon eable as aforeſaid with the ſaid treble tax, ſhall be deemed and taken for and during the con- nce of the ſaid treble tax, of ſuch amount as ſhall be aſcertained on the final aſſeſſment and tion of all property within this ſtate, which ſhall be made on or before the firſt day of March

Proviſo.

II. PROVIDED NEVERTHELESS, If ſuch worth ſhall, on any future public aſſeſſment, be aug- ed, the treble tax ſhall be rated on that worth ſo augmented.

Tax impoſed as a charge, &c.

III. AND BE IT ENACTED, That the ſaid treble tax, rateable according to the amount of ſuch as aforeſaid, ſhall be and is hereby impoſed as a charge and burthen on all ſuch real and per- eſtate of ſuch perſon, chargeable with the ſaid treble tax, as ſuch perſon was poſſeſſed of at ime of the valuation of his property by the aſſeſſors, under the act, entitled, (a) An act to aſ- nd impoſe an equal tax on all property within this ſtate.

(a) February, 1777, ch. 21.

Proviſo.

IV. PROVIDED NEVERTHELESS, AND BE IT ENACTED, That no ſuch property ſhall be charge- with the ſaid treble tax which has been *bonâ fide* diſpoſed of after ſuch valuation aforeſaid, and the making of this act, and that no ſuch property *bonâ fide* diſpoſed of, after the making of ct, ſhall be ſubject to a diſtreſs for the ſaid treble tax, before default of payment of the ſaid tax e perſon chargeable with the ſame, or default of property in his poſſeſſion whereby the ſaid tax be levied.

A liſt to be made out, &c.

V. AND, whereas perſons chargeable with the ſaid treble tax may have property in different ies in this ſtate: And whereas it is neceſſary that the commiſſioners ſhould be informed of all ns ſo chargeable, BE IT ENACTED, That the governor and the council ſhall annually, before the ay of May, cauſe a liſt to be made out of all free male perſons, of the age of eighteen years, names or marks, by comparing the conſtables liſt aforeſaid with the magiſtrates books afore- ſhall not appear in any of the magiſtrates books aforeſaid, and of all perſons any otherwiſe aſ- ned to be chargeable with the ſaid treble tax, and the ſaid liſt ſhall annually, before the firſt f May, cauſe to be delivered to the commiſſioners of every county in this ſtate, who ſhall, on t thereof, communicate the ſame to the collectors reſpectively; and the ſaid collectors are y reſpectively enjoined to levy and collect the ſaid treble tax, on, of and from, all ſuch perſons, ding to the value of ſuch perſons property in their reſpective counties.

This ſection was repealed by March, 1778, ch. 15, ſection 6.

Perſons diſabled from bringing ſuit, &c.

VI. AND BE IT ENACTED, That every perſon chargeable with the treble tax as aforeſaid, ſhall abled from commencing or proſecuting any ſuit in any court of this ſtate, for the recovery of ebt or damages, for any money or tobacco due or owing to him in his own right, or from exer- and practiſing the trade of merchandiſe, unleſs, previous to ſuch ſuit or merchandiſing, he ake the oath or affirmation as aforeſaid, and in caſe of neglect thereof, the court before whom ſuit ſhall be brought ſhall, *ex officio*, enter judgment of nonſuit; and if any ſuch perſon ſhall ſe and practiſe the trade of merchandiſe, without previouſly taking the oath or affirmation as aid, he ſhall, for every ſuch offence, forfeit and pay five pounds for every hundred pounds of rty ſuch perſon ſhall be deemed worth on the public aſſeſſment of all property within this

much of this act as impoſed on nonjurors a diſability to ſue for their debts, or carry on merchandiſe, was repealed by ember, 1781, ch. 17.

And practiſing the law, &c.

VII. AND BE IT ENACTED, That every perſon, chargeable with the treble tax aforeſaid, ſhall ever diſabled and rendered incapable to practiſe the law, phyſic or ſurgery, or the art of an ecary, or to preach or teach the goſpel, or to teach in public or private ſchools, or to hold or ce, within this ſtate, any office of profit or truſt, civil or military, or to vote at any election ctors of ſenators, or of delegates to the houſe of delegates; and if any ſuch perſon ſhall offend this act, in any of the particulars above ſpecified, he ſhall, for every ſuch offence, forfeit and

CHAP. XX.

pay five pounds for every hundred pounds of property he ſhall be deemed worth on the public ment of all property within this ſtate.

So much of this act as impoſed a diſability on nonjurors to practiſe phyſic, was repealed by November, 1781, ch. 1 act alſo declared, that no quaker, menoniſt or tunker, ſhould be fined for preaching the goſpel without taking the oaths, leſs it appeared that ſuch perſon had, by his actions and conduct, manifeſted a diſpoſition inimical to the then exiſting ment. Such part of this act as diſqualified and diſabled nonjurors from holding offices, and voting at elections, was re 1786, ch. 14.

Proviſo.

XVIII. PROVIDED NEVERTHELESS, AND IT IS ENACTED, That if any perſon required act to take the oath or affirmation aforeſaid, and whoſe name or mark ſhall not be found ſubſcr aforeſaid, ſhall make it appear to the governor and council, within ſix weeks after the firſt March next, or to the county court of the county where ſuch perſon reſides, which ſhall firſt after the ſaid firſt day of March next, that ſuch perſon is not a perſon offending againſt this a if of the age of eighteen years at the time of ſuch application to the governor and council, o ty court, as aforeſaid, ſhall take the ſaid oath or affirmation (as the caſe may be,) ſuch perſ not be ſubject to the ſaid treble tax and diſabilities aforeſaid; and, on acquittal by the ſaid g and council, or by the ſaid county court, ſuch perſon ſhall obtain a certificate thereof, and be to have his name enrolled on one of the magiſtrates books as aforeſaid; and if ſuch perſon h ſet down on the liſt chargeable with the treble tax and tranſmitted to the commiſſioners, commiſſioners are hereby enjoined, on ſuch perſons producing the certificate aforeſaid, to cor ſaid liſt, and give notice thereof to the collector.

Perſons liable to the treble tax, &c.

XIX. AND BE IT ENACTED, That all perſons, not having ſigned the aſſociation, who ha from this ſtate ſince the fourteenth day of Auguſt, ſeventeen hundred and ſeventy-five, to taking an active part in the defence thereof, and have croſſed the ſeas, and who ſhall not re or before the firſt day of September, ſeventeen hundred and ſeventy-nine, and take the oath mation as aforeſaid within one month after their return to this ſtate, ſhall be liable to the tax, and to the diſabilities impoſed by this act.

Proviſo.

XX. PROVIDED NEVERTHELESS, That nothing in this act contained ſhall extend, or be co to extend, to any perſons who, having fled from this ſtate as aforeſaid, ſhall, at any time ſinc flight, have taken an active part againſt the ſame, or againſt the United States, by adherin Britiſh army or navy.

Juſtices to inquire, &c.

XXI. AND, for the better aſcertaining what perſons have fled from this ſtate as aforeſaid, ENACTED, That the juſtices of the ſeveral county courts ſhall annually, at their reſpective courts, make diligent inquiry after every perſon who has fled from his county as aforeſaid, returning after the firſt day of March next, ſhall neglect to take the oath or affirmation a within the time limitted as aforeſaid, and the ſaid juſtices ſhall enter his name on the minutes proceedings of their court at their then ſitting, and, from the ſaid minutes, ſhall make a fair phabetical liſt of the names of all ſuch perſons as aforeſaid, and tranſmit the ſame to the g and council.

Perſons abſent not affected.

XXII. AND, whereas many of the male ſubjects of this ſtate, above the age of eighteen yea out of this ſtate on ſome lawful purpoſes in ſome of the neighbouring ſtates, or in parts bey ſeas, BE IT ENACTED, That no ſuch perſon ſhall be affected by any matter or thing conta this act, unleſs ſuch perſon, for three months after his return, ſhall wilfully neglect to take t oath or affirmation, (as the caſe may be,) before the governor and council, or ſome magiſtrate county or city where he reſides.

By May, 1781, ch. 27, ſuch perſons were to be conſidered nonjurors, &c. unleſs they took the oath, &c. within o after their return.

Juſtices to make inquiry, &c.

XXIII. AND, in order to diſcover whether the perſons aforeſaid, abſent from this ſtate on fore the firſt day of March next, and returning after that day, have taken the oath or affir aforeſaid within the time limitted as aforeſaid, BE IT ENACTED, That the juſtices of the county courts ſhall annually, at their reſpective Auguſt courts, make diligent inquiry after perſons returning as aforeſaid, and omitting to take the oath or affirmation aforeſaid within t limitted as aforeſaid, and ſhall enter their names on the minutes of the proceedings of thei and fair and alphabetical liſts make thereof, and tranſmit them to the governor and council.

Officers not affected.

XXIV. AND, whereas all perſons in the regular ſervice of this ſtate, or of the United Sta of any of them, have already given, by ſuch ſervice, ſufficient proof of their attachment to t dom and independence thereof, BE IT ENACTED, That no general, field, commiſſioned, war

officer, or other officer, nor any ſoldier or perſon in the regular ſervice of this ſtate, or the ed States, or any of them, ſhall be affected by any matter or thing herein contained.

XV. AND, to prevent this ſtate from becoming an aſylum for the diſaffected fugitives from other , BE IT ENACTED, That the governor and council, or any magiſtrate of the county, on their s own knowledge, or information, that any male perſon above the age of eighteen years, be- ing to any of the United States, has taken ſhelter in this ſtate, ſhall immediately cauſe ſuch per- to be apprehended and examined, and if ſuch perſon cannot, upon ſuch examination, produce a ficate of his having taken the oath or affirmation preſcribed by his ſtate, or if ſuch perſon has aken the oath, or affirmation, (as the caſe may be,) which has been preſcribed by this ſtate, and es to take the ſaid oath or affirmation, and ſhall alſo refuſe to take the following oath, or affirma- if a quaker, menoniſt or tunker, viz. "I, A. B. do ſwear, or ſolemnly affirm, (if a quaker, enoniſt or tunker,) that I do not hold myſelf bound to yield any allegiance or obedience to the g of Great-Britain, his heirs or ſucceſſors, and that I will be true and faithful to the United ates of America, and will, to the utmoſt of my power, ſupport, maintain and defend, the free- m and independence thereof," the governor and council, or the ſaid magiſtrate, may commit perſon to the public gaol, or the governor and council may remand ſuch perſon back to his own , and in ſuch manner as they may adjudge the moſt expedient; and if ſuch perſon hath property is ſtate, he ſhall be ſubject to the treble tax aforeſaid, in manner and form preſcribed as afore- and ſuch perſon ſhall alſo be ſubject to all the diſabilities impoſed by this act; and upon every itment of ſuch perſon by any magiſtrate as aforeſaid, the ſaid magiſtrate ſhall immediately give e thereof to the ſaid governor and council.

Perſons taking ſhelter to be apprehended, &c.

XVI. IT being repreſented to this general aſſembly, that many perſons who gave bonds to the dents of the late conventions, councils of ſafety, and to the committees of obſervation, for good behaviour and fidelity to this ſtate, have been guilty of breaches, BE IT ENACTED, That onds taken in the name of any preſident of convention, council of ſafety, or in the name or es of any other perſon or perſons, for the uſe of this ſtate, be tranſmitted as ſoon as poſſible to lerk of the county where the principal and the ſecurity reſide, or if the principal has departed ſtate, to the clerk of the county where the ſecurity may reſide, and thereupon *ſcire facias* ſhall diately iſſue in the name of this ſtate againſt the obligors in the bonds, alleging a breach of every of the condition, and requiring the defendants to ſhew cauſe why judgment and execution ſhould e had for the penalty, and the defendant appearing ſhall plead the general iſſue of performance, rial ſhall be had the firſt court, unleſs for ſpecial reaſons the court ſhall grant one imparlance, f two *nihils* ſhall be returned, judgment of execution ſhall be rendered.

Bonds to be tranſmitted, &c.

XVII. AND BE IT ENACTED, That if any ſubject or inhabitant of this ſtate ſhall go on board any l of war or tranſport belonging to the enemy, or to their camp, or to any city, town, port or , within any of the United States, in their poſſeſſion, without permiſſion in writing from the rnor and the council of this ſtate, and if any ſubject or inhabitant of this ſtate ſhall receive any ection for himſelf or property from the enemy, or any one under their authority, ſuch perſon, on iction thereof in the general or any county court of this ſtate, ſhall be fined by the court not ex- ing the rate of ten pounds for every hundred pounds of property belonging to ſuch perſon with- is ſtate; and if any perſon convicted of any of the offences aforeſaid ſhall not have property in this ſtate, valued and rated agreeable to the late aſſeſſment act at more than two hundred ds, the court may fine ſuch perſon at the rate aforeſaid, and alſo adjudge him to be impriſoned ny term not exceeding one year, or to be whipped not exceeding thirty-nine laſhes, or both, in r diſcretion.

Fine for going on board the enemy's veſſels, &c.

XVIII. WHEREAS perſons guilty of high treaſon may, by being out of the reach of a legal pro- in the common courſe of proceeding, evade a trial and the puniſhment of their crimes, BE IT TED, That on indictment found by the grand jury of the general court againſt any perſon for ſon, the court ſhall immediately order *capias* to apprehend ſuch perſon, directed to the ſheriff of county in which ſuch perſon lived or reſided, and on return by the ſaid ſheriff of the flight of perſon from this ſtate, or that he is not to be found in the county, the general court ſhall cauſe perſon to be proclaimed, and ſolemnly called and required, in full and open court, to appear anſwer to the indictment againſt him, and on default thereof entered on their record, the ſaid t ſhall iſſue a writ to the ſheriff who returned the *capias*, to cauſe ſuch perſon to be proclaimed, ſolemnly called and required, at two ſeveral courts to be held for his county, in full and open , to ſurrender himſelf to his cuſtody, to anſwer to the indictment found againſt him, and the ſheriff ſhall make his return of ſuch proclamation and default to the general court, who ſhall record

Certain perſons to be outlawed, &c.

CHAP XX.

record ſuch return and default, and thereupon proceed to adjudge ſuch perſon to be outlawed ſuch judgment of outlawry ſhall amount in law to a conviction and attainder of the perſon treaſon charged in the indictment, in the ſame manner as if the perſon ſo indicted had been guilty thereof by a petit jury, and ſuch perſon ſhall thereupon forfeit to the uſe of this ſtate eſtate which he had at the time when the indictment ſhall allege his commiſſion of the treaſon.

No perſon to be tried, &c.

XXIX. AND BE IT ENACTED, That no perſon ſhall be tried for any treaſon or miſpriſion o ſon againſt this ſtate, unleſs the indictment be found within three years after the offence comm and it is declared, that no perſon ſhall be convicted by a petit jury of either of the ſaid crime leſs by the oath of two lawful witneſſes to prove each ſeparate and diſtinct fact charged in the ment as treaſon or miſpriſion of treaſon, except the priſoner willingly, and without force or vio confeſs the ſame in open court.

Oath not to be taken.

XXX. AND BE IT ENACTED, That no perſon who hath already taken the ſaid oath, or ma ſaid declaration, ſhall be obliged to take or make the ſame, agreeable to the directions of th any thing herein contained to the contrary notwithſtanding.

CHAP. XXI.

Paſſed 3d of Dec. 1777.

A Supplementary act to the act, entitled, (a) An act to regulate the militia. Lib. GR. fol.

(a) June, 1777, ch. 17. This act was continued and expired with the principal act, under which the ſeveral conti are noted.

CHAP. XXII.

A Supplement to the act (b) for the ſpecial appointment of inſpectors. Lib. GR. fol. 166.

(b) June, 1777, ch. 13.

CHAP. XXIII.

An ACT to prevent counterfeiting loan-office certificates. Lib. GR. fol. 168.

At a SESSION of the GENERAL ASSEMBLY of MARYLA begun and held at the CITY of ANNAPOLIS, on Tueſday, 17th of March, in the year of our Lord 1778, and ended the day of April, the following laws were enacted.

THOMAS JOHNSON, ESQUIRE, GOVERNOR.

CHAP. I.

Paſſed 22d of April, 1778.

An ACT for the ſervice of the United States. Lib. GR. fol. 169.

To continue until the 10th of June then next. Expired.

CHAP. II.

An ACT to direct the recording of a deed to John Raiſin. Lib. GR. fol. 175. A Private A

CHAP. III.

An ACT to revive and continue an act (a) for enlarging the powers of the governor and co Lib. GR. fol. 175.

(a) The act of February, 1777, ch. 24, revived and continued to the end of the ſeſſion. Expired.

CHAP. IV.

An ACT empowering Robert Richardſon and Thomas Kemp to ſell and diſpoſe of the real eſt Philip Wetherell, deceaſed, and to apply the money ariſing therefrom to ſpecial purpoſes th mentioned. Lib. GR. fol. 176. A Private Act.

CHAP. V.

An ACT to procure troops for the American army. Lib. GR. fol. 178.

CH

CHAP. VI.

ACT to revive and continue the acts of assembly therein mentioned. Lib. GR. fol. 184.

Passed 22d of April, 1778.

BE IT ENACTED, *by the General Assembly of Maryland*, That an act of assembly, entitled, An act for repairing the public roads in this province, made at a session of assembly begun and held at the city of Annapolis the second day of October, one thousand seven hundred and fifty-three, (a) is hereby revived and continued, and shall remain and be in full force for and during the term of seven years, and to the end of the next session of assembly which shall happen after the end of said seven years; that another act of assembly, entitled, A supplementary act to the act, entitled, An act for repairing the public roads in this province, made at a session of assembly begun and held at the city of Annapolis the twenty-third day of February, one thousand seven hundred and fifty-six, (b) is hereby revived and continued, and shall remain and be in full force for and during the term of seven years, and to the end of the next session of assembly which shall happen after the end of the said seven years; that another act of assembly, entitled, A supplementary act to the act, entitled, An act ascertaining the height of fences, to prevent the evil occasioned by the multitude of horses, and restraining horse-rangers within this province, and to redress the great evil accruing to this province by the multiplicity of useless horses, mares and colts, that run in the woods, made at a session of assembly begun and held at the city of Annapolis the eighth day of May, one thousand seven hundred and fifty, (c) be and is hereby revived and continued, and shall be and remain in full force for and during the term of seven years, and to the end of the next session of assembly which shall happen after the end of the said seven years; that another act of assembly, entitled, An act for suspending the power of the commissioners for building a court-house and prison in Harford county, made at a session of assembly begun and held at the city of Annapolis the twenty-third day of March, one thousand seven hundred and seventy-four, (d) be and is hereby continued, and shall remain in full force for and during the term of three years, and until the end of the next assembly which shall happen after the end of the said three years. Several acts continued.

(a) 1753, ch. 16. (b) 1756, ch. 12. (c) 1750, ch. 25. (d) 1774, ch. 13.

CHAP. VII.

ACT to raise the supplies for the current year. Lib. GR. fol. 185.

CHAP. VIII.

ACT to prevent and suppress insurrections. Lib. GR. fol. 201. Repealed November, 1792, ch. 9.

CHAP. IX.

ACT for the speedy recovery of public debts. Lib. GR. fol. 203.

WHEREAS many large sums of money have been issued out of the public treasury of the United States, and state of Maryland, to divers persons who have not rendered any accounts for the same, and congress having requested that a law might pass in each respective state for the speedy recovery of debts due to the United States, Preamble.

BE IT THEREFORE ENACTED, *by the General Assembly of Maryland*, That the auditor-general, any person or persons authorised by congress, may cause process to issue in the general or any county court of this state for any debt or sum of money now due and owing, or which shall hereafter be due to the United States, against any person or persons whatever, inhabiting, residing, or found within this state, or against any such person or persons who have received or hereafter receive money from the treasury of the United States, or by order of congress, and have not paid, or shall not render, an account for the same, and a declaration or short note, expressing the cause of action, being filed with the clerk of the court before issuing the writ, and a copy of such declaration or short note being served on the defendant or defendants, or left at his or their last place of abode twenty days before the return of such writ in the general court, and eight days before the same thereof in the county court, it shall and may be lawful for the justices of said courts respectively, and they are hereby authorised and required, to cause such defendant or defendants to plead to issue, and shall proceed to trial or judgment the first court, and shall not allow any imparlance, unless where evidence is wanted, without which the parties, or either of them, cannot safely go to trial, which fact, as also a reasonable endeavour to obtain such evidence, shall be made appear to the satisfaction of the court, by affidavit of the party, or the testimony of some indifferent witness; and if the writ and short note, or writ and declaration, are not served in time, it shall and may be lawful for the justices of the general court or county courts to allow one imparlance, and no more, if evidence be wanted as above specified. Auditor, &c. may order process to issue, &c.

III. AND

CHAP. IX.

Governor, &c. may cauſe like proceſs to iſſue, &c.

III. AND BE IT ENACTED, That the governor and the council, or a committee of the g aſſembly, or any perſon authoriſed by the governor and council or ſuch committee, may cau proceſs to iſſue in the general or county courts of this ſtate, againſt any perſon or perſons what inhabiting or reſiding, or being found therein, who may or ſhall be indebted to this ſtate by b otherwiſe, or have received or ſhall receive money from the treaſury thereof, for which no a hath been or ſhall be rendered, and a declaration or ſhort note, expreſſing the cauſe of action, filed with the clerk of the court before iſſuing the writ, and a copy of ſuch declaration or ſho being ſerved on the defendant or defendants, or left at his or their laſt place of abode twent before the return of ſuch writ in the general court, and eight days before the return thereof county court, it ſhall and may be lawful for the juſtices of ſaid courts reſpectively, and they ar by authoriſed and required, to cauſe ſuch defendant or defendants to plead to iſſue, and ſhall p to trial or judgment the firſt court, and ſhall not allow any imparlance, unleſs where evid wanted, without which the parties, or either of them, cannot ſafely go to trial, which fact, a reaſonable endeavour to obtain ſuch evidence, ſhall be made appear to the ſatisfaction of the by affidavit of the party, or the teſtimony of ſome indifferent witneſs; and where the writ an note, or writ and declaration, are not ſerved in time, it ſhall and may be lawful for the juſtices general or county court to allow one imparlance and no more, unleſs evidence be wanted as ſpecified.

Courts not to allow plea, &c.

IV. AND BE IT ENACTED, That the general or any county courts ſhall not allow of any pl declaration in ſuch actions, except the general iſſue, unleſs the ſame be verified by the affidavit party, or otherwiſe made appear to be founded in fact by credible witneſs, or other legal ev and no demurrer to any declaration ſhall be allowed, for want of purſuing the uſual forms of rations in other caſes, but it ſhall be deemed ſufficient in all actions on the caſe, or actions count, to allege that the defendant or defendants were indebted to the United States, or to th of Maryland, in the ſum demanded, for money had and received to the uſe of the United Sta of this ſtate, as the caſe may require, and that payment hath not been made, nor any accou dered for the ſame.

They may appoint an auditor, &c.

V. AND BE IT FURTHER ENACTED, That the general or any county court where ſuch a brought may, if need be, appoint auditors to take and ſtate the accounts offered by any defen defendants, and may give judgment for ſuch balance as appears due on the return of ſuch au with coſts of ſuit; and if the balance ſhould be found in favour of any defendant or defendant have been negligent in rendering his or their account, no coſts whatever ſhall be adjudged to them, but the balance ſo found, if due from the ſtate of Maryland, ſhall be paid by the treaſ the eaſtern or weſtern ſhore, without coſts, and a tranſcript of the judgment, under ſeal of the ſhall be a ſufficient voucher for ſuch payment; and the clerk of the court wherein ſuch ſuit is mined ſhall, within one month after the determination of ſuch ſuit, tranſmit to the auditor-ge copy of the accounts ſo audited and ſettled, under the penalty of twenty pounds.

Execution may iſſue, &c.

VI. AND BE IT ENACTED, That after judgment obtained, it ſhall and may be lawful to iſſ cution by *capias ad ſatisfaciendum*, *fieri facias*, or attachment on the judgment, which two laſt tions may be taken againſt lands and tenements as well as goods and chattels; and all lands an ments belonging to any public debtor, after the commencement of ſuit againſt him, ſhall be li ſaid execution, in whatſoever hands or poſſeſſion they may be found.

Goods, &c. may be ſold, &c.

VII. AND BE IT FURTHER ENACTED, That the ſheriffs of the ſeveral counties, where the is not paid, may cauſe ſuch goods, chattels, lands or tenements, to be ſold at public vendue, giving ten days notice thereof, excluding the day of notice and ſale,) to the higheſt bidde ſhall and may retain ſufficient in their hands to pay the debt and all coſts, their own fees in returning the overplus, if any, to the debtor, and ſhall forthwith pay ſuch debt to the public ry, and the coſts to the attorney proſecuting the ſuit, or be liable at the next court to executio the office bond of ſuch ſheriff ſhall alſo be liable, if need be, and may be put in ſuit for reco ſuch money ſo by him received.

CHAP. X.

Paſſed 22d of April, 1778.

An ACT for the ſpecial appointment of inſpectors. Lib. GR. fol. 206.

CHAP. XI.

An ACT for the relief of John Veazey, and Thomas Brocchus Veazey, ſon and executor o Veazey, deceaſed. Lib. GR. fol. 208. A Private Act.

CH

CHAP. XII.

ditional ſupplement to the act, entitled, (a) An act to regulate the militia. Lib. GR. fol. 211. Paſſed 22d of April, 1778.

(a) June, 1777, ch. 17. Expired with the principal act, viz. at the end of the ſeſſion of 1785.

CHAP. XIII.

CT for enlarging the powers of the governor and council. Lib. GR. fol. 212.

ntinue until the end of the next ſeſſion. Continued by June, 1778, ch. 7, until the end of the next ſeſſion. Expired.

CHAP. XIV.

CT to eſtabliſh rules and articles for the government of the draughts, and other militia of this , while in ſervice. Lib. GR. fol. 216.

CHAP. XV.

upplement to an act (b) for the better ſecurity of the government. ib. GR. fol. 228.

(b) October, 1777, ch. 20.

IT ENACTED, *by the General Aſſembly of Maryland*, That the ſeveral and reſpective county clerks all, and they are hereby directed and required, under the penalty of two hundred pounds, ly, before the twentieth day of May, to make out and deliver to the ſheriffs, or other collec- the public aſſeſſments for their counties reſpectively, an alphabetical liſt of the names and ns of all perſons whoſe names, marks and additions, ſhall appear on the magiſtrates books n virtue of the act, entitled, An act for the better ſecurity of the government, or on the s and proceedings of the county court of their ſeveral and reſpective counties, and alſo the marks and additions, of all ſuch perſons who may have taken the oath preſcribed by the ſaid ore the governor and the council. Clerks to make out liſts, &c.

AND BE IT ENACTED, That the ſaid collectors ſhall, and they are hereby required and direct- levy and collect the treble tax of and from all perſons who ſhall be chargeable with the ſaid d whoſe names ſhall not appear on the ſaid alphabetical liſt ſo as aforeſaid to be delivered; ery clerk, making an alphabetical liſt as aforeſaid, ſhall be allowed therefor by the county uch reaſonable reward for his ſervices as the ſaid court may think adequate to the trouble, to ayed in the ſame manner other county charges are. Treble tax to be collected, &c.

AND BE IT ENACTED, That the governor and the council ſhall, on or before the firſt day of xt, ſend to the clerk of each county a liſt of the names of the perſons reſiding therein, who aken before them the oath of fidelity preſcribed by the act, entitled, An act for the better y of the government. Governor, &c. to ſend a liſt, &c.

AND BE IT ENACTED, That where any perſon, aſſeſſed in one county and reſiding in another, ot produce to the clerk of the county where ſuch property may be aſſeſſed, a certificate from rk of the county where ſuch perſon reſides, of his having taken the ſaid oath, ſuch perſon e charged with the treble tax on his property aforeſaid; and the clerk of the county where roperty may lie ſhall, and he is hereby directed and required, under the penalty of twenty , to enter the name of any perſon, producing a certificate as aforeſaid, on the minutes of the lings of the court, and inſert ſaid name in the alphabetical liſt aforeſaid. Certain perſons to pay the treble tax, &c.

PROVIDED NEVERTHELESS, AND BE IT ENACTED, That nothing herein contained ſhall be con- deemed or taken, in any manner to affect any general, field, commiſſioned, warrant, ſtaff or ficer, ſoldier or other perſon, in the regular ſervice of this ſtate, or the United States, or them, or any other perſon who hath already taken the ſaid oath or affirmation, whoſe name ot appear on the clerk's liſt aforeſaid. Proviſo.

AND BE IT ENACTED, That ſo much of the ſaid act, entitled, (c) An act for the better y of the government, directing the governor and the council annually, before the firſt day of o cauſe a liſt to be made out of all free male perſons, of the age of eighteen years, whoſe r marks, by comparing the conſtables liſts with the magiſtrates books, ſhall not appear in any aid magiſtrates books, and of all perſons any otherwiſe aſcertained to be chargeable with the ax, and ſuch liſt to be delivered annually to the collectors of every county in this ſtate, be ereby repealed. Part of an act repealed.

(c) October, 1777, ch. 20, part of ſection 15.

CHAP. XVI.

Paſſed 22d of April, 1778.

An ACT for the payment of the journal of accounts, and for o purpoſes. Lib. GR. fol. 229.

Preamble.

WHEREAS it appears by the journal of accounts and liſt of debts that there is now du this ſtate the ſum of nine thouſand eight hundred and eighty-eight pounds one ſhilling penny common money,

Treaſurer to pay, &c.

II. BE IT THEREFORE ENACTED, *by the General Aſſembly of Maryland*, That the treaſurer weſtern ſhore ſhall and is hereby authoriſed and required to deliver out bills of credit which n or ſhall be in his hands for the uſe of this ſtate, to the ſeveral perſons, their executors, adminiſt aſſigns or orders, who are allowed on the ſaid journal, or to ſuch of them as ſhall offer to recei ſame, the ſeveral ſums of money allowed to them reſpectively, as they appear to be allowed a certained by the journal of accounts and liſt of debts aforeſaid.

Or give certificates, &c.

III. AND, whereas there may not be money in the treaſury for payment of the claims due journal of accounts, or to other public creditors, BE IT ENACTED, That it ſhall and may be for the treaſurer of the weſtern ſhore to give out certificates, in the nature of loan-office certi to ſuch of the public creditors who will receive the ſame, the ſaid certificates to be given i ſums, not leſs than twenty pounds, to be payable in three years from the date thereof, with *cent.* intereſt thereon, the intereſt to be paid annually by the treaſurers, if required, and ſuch cates ſhall paſs current in all payments, and be a legal tender, to all intents and purpoſes, e with the bills of credit of this or of the United States, or may be diſcounted out of the public ment, at the election of the holder of ſuch certificate; and the counterfeiting, or offering in pa any counterfeit certificate, knowing the ſame to be ſuch, ſhall be liable to the ſame puniſhm heretofore directed by act of the general aſſembly.

Form of the certificate.

IV. AND BE IT ENACTED, That every certificate iſſued by the treaſurer of the weſtern ſho purſuance of this act, ſhall be drawn in the words following, and ſigned by him: State of Maryl This indented certificate ſhall entitle ——, or bearer, to the ſum of —— pounds common mon bills of credit, with intereſt for the ſame from the date hereof at ſix *per cent. per annum*, an paſs current in all payments, according to an act paſſed at a ſeſſion of aſſembly begun and held city of Annapolis on the 17th day of March, 1778, entitled, An act for the payment of the j of accounts, and for other purpoſes. Iſſued this —— day of ——, in the year of our Lord,

CHAP. XVII.

A Supplement to the act for the payment of the journal of accou and for other purpoſes. Lib. GR. fol. 230.

Perſons counterfeiting, &c. to ſuffer death.

BE IT ENACTED, *by the General Aſſembly of Maryland*, That if any ſubject of this ſtate ſhall, or without this ſtate, and if any perſon whatſoever ſhall, within this ſtate, forge or coun any certificate iſſued in virtue of the ſaid act, entitled, An act for the payment of the journal counts, and for other purpoſes, or ſhall alter the ſum expreſſed in any of the ſaid certificates, o paſs in payment any ſuch counterfeit or altered certificate, knowing the ſame to be counterfeit tered, and ſhall be thereof convicted in the general court of this ſtate, or ſhall ſtand mu peremptorily challenge above the number of twenty of the pannel, ſuch perſon ſhall ſuffer deat felon, without benefit of clergy.

At a SESSION of the GENERAL ASSEMBLY of MARYLA begun and held at the CITY of ANNAPOLIS, on Monday, 8th of June, in the year of our Lord 1778, and ended the day of the ſame month, the following laws were enacted.

THOMAS JOHNSON, ESQUIRE, GOVERNOR.

CHAP. I.

Paſſed 23d of June, 1778.

An ACT relating to priſoners and deſerters from the Britiſh army and navy. Lib. GR. fol. CH

CHAP. II.

ACT to aid the proceedings of the commiſſioners of the tax, and for other purpoſes. Lib. GR. fol. 231. Paſſed 23d of June, 1778.

CHAP. III.

ACT to prohibit, for a limitted time, the exportation of wheat, flour, rye, Indian corn, rice, ad, beef, pork, bacon, live ſtock, and other victual. Lib. GR. fol. 232.

To continue until the 15th of November then next. Expired.

CHAP. IV.

ACT concerning the gun-lock factory in Frederick-town, in Frederick county. Lib. GR. fol. 234.

CHAP. V.

Supplementary act to the act, entitled, * An act for King William's School, in Annapolis. Lib. GR. fol. 235.

* 1696, ch. 17.

WHEREAS from the abſence of ſome, diſqualification and reſignation of others, of the rector, truſtees and viſitors, of King William ſchool, in Annapolis, it is at preſent impracticable to re a meeting of a competent number of them to manage the affairs of the ſaid ſchool, and the ſts of the ſaid ſchool requiring our immediate exertion of the powers of the ſaid corporation; Preamble.

BE IT ENACTED, *by the General Aſſembly of Maryland*, That at any time, until the full number ctor, truſtees and viſitors, of the ſaid ſchool, ſhall be filled up as herein after mentioned, and ualified, it ſhall and may be lawful for any number of the rector, truſtees and viſitors, of the chool, who have taken the oath of fidelity and ſupport to this ſtate, not leſs than three, to ogether, conſult, direct and manage, the affairs of ſaid ſchool, and execute the ſeveral powers uthorities with which the rector, truſtees and viſitors, of King William's ſchool aforeſaid, and , as well and effectually, as the whole of them might do. Three viſitors may meet, &c.

AND BE IT ENACTED, That ſuch notice ſhall be given of the ſaid meeting as by the act afore- directed to be given of the meetings in virtue of the ſame act. On notice.

AND BE IT FURTHER ENACTED, That there ſhall be a meeting of the viſitors in King Wil- ſchool aforeſaid on or before the fifteenth day of July next, and that ſuch of the viſitors ſo g, not being leſs than three, or a majority of them, ſhall and may elect, nominate and chooſe, ctor, truſtees and viſitors, of King William's ſchool aforeſaid, as many of the inhabitants, ed by the laws reſpecting the ſaid ſchool, and having taken the oath of fidelity and ſupport to ate, as, together with the ſaid electors, ſhall fill up and complete the full number of rector, s and viſitors required by the law. Truſtees to meet before July 15, &c.

CHAP. VI.

pplementary act to an act, entitled, (a) An act for the ſpecial appointment of inſpectors, and r purpoſes. Lib. GR. fol. 236.

(a) March, 1778, ch. 10.

CHAP. VII.

CT to continue an act, entitled, (b) An act for enlarging the powers of the governor and ncil. Lib. GR. fol. 238.

(b) The act of March, 1778, ch. 13, continued to the end of the next ſeſſion. Expired.

CHAP. VIII.

CT for the payment of the journal of accounts. Lib. GR. fol. 238.

CHAP. IX.

CT for the relief of certain nonjurors. Lib. GR. fol. 239.

At a SESSION of the GENERAL ASSEMBLY of MARYLA begun and held at the CITY of ANNAPOLIS, on Monday, 26th of October, in the year of our Lord 1778, and ended 15th day of December, the following laws were enacted.

THOMAS JOHNSON, ESQUIRE, GOVERNOR.

CHAP. I.

Paſſed 15th of Dec. 1778. An ACT for the adjournment and continuance of ſeveral of the county courts within thi Lib. GR. fol. 242.

CHAP. II.

An ACT for the relief of ſundry of the inhabitants of this ſtate. Lib. GR. fol. 243.

CHAP. III.

An ACT to prohibit, for a limitted time, the exportation of wheat, flour, rye, Indian corn bread, beef, pork, bacon, live ſtock, peas, beans, oats, and other victual. Lib. GR. fol. 2

To continue until the 10th of May next. Continued by the act of March, 1779, ch. 10, until the end of the next ſeſſion.

CHAP. IV.

An ACT for the relief of Joſhua Chilcut, of Caroline county. Lib. GR. fol. 249. A Privat

CHAP. V.

An ACT to enable Caſſandra Ducker, widow and executrix of John Ducker, late of Anne-A county, deceaſed, to ſell and diſpoſe of certain lands and mills therein mentioned. Lib. GR 253. A Private Act.

CHAP. VI.

An ACT for preventing exceſſive and deceitful gaming, and for other purpoſes therein ment Lib. GR. fol. 255.

To commence on the firſt of February then next, and continue three years, &c. Expired.

CHAP. VII.

An ACT to raiſe the ſupplies for the year ſeventeen hundred and ſeventy-nine. Lib. GR. fol

Supplements March, 1779, ch. 11, July, 1779, ch. 5.

CHAP. VIII.

An ACT to prevent foreſtalling and engroſſing, and for other purpoſes therein mentioned. GR. fol. 277.

To continue until the end of the next ſeſſion. Continued by March, 1779, ch. 10, to the end of the next ſeſſion. with July ſeſſion, 1779.

CHAP. IX.

An ACT to empower the juſtices of Dorcheſter county court to appoint a conſtable for the to Cambridge. Lib. GR. fol. 285.

CHAP. X.

An ACT for enlarging the powers of the governor and council. Lib. GR. fol. 287.

To continue to the end of the next ſeſſion. Continued by March, 1779, ch. 5, to the end of the next ſeſſion, and 1779, ch. 20, to the end of the next ſeſſion. Expired.

CHAP. XI.

An ACT for the ſpecial appointment of inſpectors, and for other purpoſes therein mentioned. GR. fol. 292.

To continue until the 30th of November, 1779. Expired.

CHAP. XII.

An ACT to revive and aid the proceedings of Talbot county court, and for other purpoſes th mentioned. Lib. GR. fol. 295.

CHAP. XIII.

An ACT to empower James Sterett, Andrew Stigar and George Lendenburger, to ſell and di of the eſtate of Chriſtopher Limes, for the purpoſe therein mentioned. Lib. GR. fol. 29 Private Act.

CH

CHAP. XIV.

ACT for the relief of diſabled and maimed officers, ſoldiers, marines and ſeamen, Lib. GR. fol. 298.

Paſſed 15th of Dec. 1778.

Supplementary and other acts 1784, ch. 72, and November, 1788, ch. 7.

Preamble.

WHEREAS it is thought juſt and expedient, that ſome proviſion ſhould be made to ſuch officers, ſoldiers, marines and ſeamen, as have been or may be diſabled or maimed in the ſervice of United States, during the preſent war with Great-Britain;

Diſabled officers to receive half pay, &c.

BE IT ENACTED, *by the General Aſſembly of Maryland*, That every commiſſioned officer, non-iſſioned officer and private ſoldier, who have or ſhall loſe a limb, or have been or ſhall be ſo ed in the ſervice of the United States of America, as to render him incapable of getting a ood, and who, at the time of entering into the ſervice of the ſaid United States, was or ſhall liſted or recruited by this ſtate, ſhall receive during his life, or the continuance of ſuch diſabili- e one half of his monthly pay, from and after the time that his pay as an officer or ſoldier ; and that every commander of any ſhip of war or armed veſſel, commiſſioned officer, warrant , marine or ſeaman, belonging to the United States of America, who have or ſhall loſe a limb, ve been or ſhall be otherwiſe ſo diſabled in the ſervice of the ſaid ſtates, as to be rendered in- le of getting a livelihood, and who, at the time of engaging in the ſaid ſervice, was or ſhall be d or recruited by this ſtate, ſhall receive during his life, or continuance of ſuch diſability, the alf of his monthly pay, from and after the time that his pay as an officer, or marine or ſeaman, , to be paid as hereafter mentioned.

Proviſo.

PROVIDED NEVERTHELESS, That in caſe a prize was or ſhall be taken at the time ſuch loſs of or other diſability did or ſhall happen, then ſuch ſum as he has received, or may receive, out of t profits of ſuch prize, before a dividend is made of the ſame, agreeable to the orders of con- ſhall be conſidered as part of his half pay, and computed accordingly.

Officers, &c. to receive a ſum monthly, &c.

AND BE IT FURTHER ENACTED, That every commiſſioned officer, non-commiſſioned officer, rivate ſoldier, in the army, and every commander, commiſſioned officer, warrant officer, marine aman, of any of the ſhips of war or armed veſſels belonging to the United States of America, have been or ſhall be wounded in any engagement, ſo as to be rendered incapable of ſerving in rmy or navy, though not totally diſabled from getting a livelihood, and who, at the time of en- into the ſervice of the ſaid ſtates, was or ſhall be enliſted or recruited by this ſtate, ſhall re- ſuch monthly ſum as ſhall be adjudged adequate by the juſtices of the orphans court of the y in which ſuch commiſſioned officer or private ſoldier of the army, or commander, commiſſioned , warrant officer, or ſeaman, of the navy, ſhall reſide, provided the ſame does not exceed his pay.

Juſtices to draw on the treaſurer, &c.

AND BE IT ENACTED, That the juſtices of the orphans courts (a) in the ſeveral counties of this ſhall, and they are hereby authoriſed and empowered, at the meeting of the ſaid orphans court, in every quarter of the year, on application made to them by any perſon, agreeable to the di- n and meaning of this act, to draw on the treaſurer of the weſtern or eaſtern ſhore of this ſtate, uch ſum or ſums of money as may be neceſſary for anſwering the purpoſes aforeſaid, and ſo to ſuch orders quarterly, during the lives of the ſaid perſons entitled to receive their half pay oreſaid, and during ſuch time as the ſaid juſtices ſhall deem ſuch perſons not totally diſabled as ſaid, entitled to receive the allowance by them directed to be made as above mentioned, which reaſurer is hereby required to pay and diſcharge; (b) and, for the better charging the ſaid d States therewith, ſo that the ſame may be brought into a general account, the juſtices of the courts are hereby enjoined to cauſe due entries to be made in their proceedings, of the name or s of all perſons to whom draughts or orders ſhall be given in purſuance of this act; alſo of their s of reſidence, in what regiment or company they ſerved, the engagement or action in which received their wounds, and the ſums allotted them, alſo of the death of ſuch diſabled perſons, ſing of ſuch allowance; an account of all which they ſhall tranſmit, or cauſe to be tranſmitted, e governor and council, on or before the firſt day of May in every year, on pain of forfeiting, for

(a) By 1784, ch. 72, the execution of ſo much of this act as relates to commiſſioned officers of the Maryland line, is placed e hands of the governor, who is to exerciſe all the powers of the orphans court.

(b) By November, 1788, ch. 7, the juſtices of the orphans court were directed to draw quarterly on the county collectors, if not paid, on the treaſurers. The payments are now made by the general government, at the office of the commiſſioner of

CHAP. XIV.

for every failure herein, the ſum of twenty pounds current money; a copy of which account th governor and council are hereby required to tranſmit quarterly to the ſecretary of congreſs or of war, in order that a ſeparate record may be there kept of the ſame.

No officer, &c. to receive half pay till he produces a certificate. &c.

VI. AND BE IT FURTHER ENACTED, That no commiſſioned officer, non-commiſſioned office private ſoldier, of the army, commander, commiſſioned officer, warrant officer, marine or ſe of any of the ſhips of war or armed veſſels of the United States, ſhall be entitled to his hal or other allowance, unleſs he produce to the juſtices of the ſaid orphans court, a certificate fro commanding officer, who was in the ſame engagement in which he was ſo wounded, or in caſe death, from ſome other officer of the ſame corps, and the ſurgeon that attended him, or a cert from the commander of the ſhip of war or armed veſſel engaged in the action, in which any marine or ſeaman, received his wound, or, in caſe of his death, from ſome other officer of the ſhip or veſſel, and the ſurgeon who attended him, of the name of the perſon ſo wounded, his rank, department, regiment, company, ſhip of war or armed veſſel, to which he belonged, his or rank therein, the nature of his wound, and in what action or engagement he received it; certificates the ſaid juſtices are hereby directed to cauſe to be regiſtered, as well as all othe ceedings by them to be done in virtue of this act, in a book by them to be kept for that purpoſe der the penalty for every neglect thereof of twenty pounds current money.

What perſons are within the meaning of this act, &c.

VII. AND, whereas doubts may ariſe in ſome caſes, whether certain perſons maimed or diſ and claiming penſions, were at the time in the ſervice of the ſaid ſtates; for removing the ſam IT ENACTED, That every commiſſioned and non-commiſſioned officer and private man, who, ſin commencement of hoſtilities on the nineteenth of April, ſeventeen hundred and ſeventy-fiv been or ſhall be drawn forth for the common defence, (and not for the ſervice of any particular or who has turned out or ſhall hereafter turn out voluntarily to oppoſe the enemies of the ſaid U States, upon any ſudden attack or invaſion, or upon any enterpriſe carried on under their auth and in ſuch ſervice has loſt, or ſhall loſe, a limb, or has been, or ſhall be, otherwiſe diſabl aforeſaid, ſhall be deemed and taken within the meaning of this act, and entitled to the b thereof.

Certain officers, &c. to be formed into a corps, &c.

VIII. AND BE IT FURTHER ENACTED, That all ſuch officers and ſoldiers, who may be entit the proviſions under this act, and ſhall be found to be capable of doing guard or garriſon duty, be formed into a corps of invalids, and ſubject to the ſaid duty; and all officers, marines and ſe of the navy, who ſhall be entitled to the ſame proviſion, and ſhall be found capable of doin duty on board the navy, or any department thereof, ſhall be liable to be ſo employed; and if any commiſſioned or non-commiſſioned officer, or private man, who ſhall be found capable of doing or garriſon duty, or any ſuch officers, marines and ſeamen, of the navy, who ſhall be found ca of doing ſome duty on board the navy, or ſome department thereof, ſhall refuſe ſo to do, when fully required, ſuch perſon, ſo refuſing, ſhall be ſtruck off the liſt of penſioners, unleſs the gov and council think that an exception ſhould be made in his favour, and an exemption grante from ſuch ſervice, a certificate of which opinion he ſhall produce previous to his receiving hi penſion.

Perſons may apply to the governor, &c.

IX. AND, whereas it may happen that many perſons maimed or diſabled as aforeſaid, by rea their falling into the hands of the enemy, the deaths of their officers and ſurgeons, or other dents, may not have it in their power to procure their certificates required by this act; B THEREFORE ENACTED, That in ſuch caſes application ſhall be made to the governor and counc ſuch maimed or diſabled perſons as aforeſaid, and, upon making it appear to them, by ſatisfa proof, that he was maimed or diſabled in the manner above mentioned, he ſhall be entitled to a ceive a penſion in like manner as if he produced the certificate before directed, and the governo council, on ſuch ſatisfactory proof being made to them, ſhall direct the juſtices of the ſaid or court to draw on the treaſurer for ſuch penſion as in the caſes before mentioned.

CHAP. XV.

Paſſed 15th of Dec. 1778.

An ACT to continue the acts of aſſembly therein mentioned. L GR. fol. 302.

Acts continued.

BE IT ENACTED, *by the General Aſſembly of Maryland*, That an act of aſſembly, entitled, A to prevent the exportation of flour, ſtaves and ſhingles, not merchantable, from the of Baltimore, in Baltimore county, and to regulate the weight of hay, and meaſure of grain, flax-ſeed and firewood, within the ſaid town, and to prevent the exportation of flour, not chan

…able, from Fell's Point, in said county, made at a session of assembly begun and held at the …of Annapolis the second day of October, seventeen hundred and seventy-one, (a) be and is …y continued, and shall be and remain in full force for and during the term of seven years, and …e end of the next session of assembly which shall happen after the end of the said seven years; …another act of assembly, entitled, An act to regulate the militia, made at a session of assembly …n and held at the city of Annapolis the sixteenth day of June, seventeen hundred and seventy-…, (b) and all the supplementary laws thereto, be and are hereby continued, and shall be and …in in full force for and during the term of one year, and to the end of the next session of assem-…which shall happen after the end of the said one year.

(a) October, 1771, ch. 20. (b) June, 1777, ch. 17.

CHAP. XVI.

An ACT for the disposal of the free-school lands in Calvert county, …nd other purposes therein mentioned. Lib. GR. fol. 303.

Passed 15th of Dec. 1778.

Preamble.

…HEREAS it is represented to this general assembly, by sundry the inhabitants of Calvert county, that the free-school in the said county does not afford sufficient encouragement for a …r, and that from its situation, if a proper master could be got, it would be difficult to procure …for youth in the neighbourhood thereof, and that they have, at their own private expence, …ed a seminary of learning near Lower-Marlborough, in said county, which for several years past …ad a sufficient number of students to enable a gentleman of abilities to take the management and …ion thereof, and that they are desirous of enlarging the plan of the said seminary, by selling …id free-school and the lands thereto belonging, and applying the money arising from the sale …of to the use of the said seminary, and have prayed that an act might pass for that purpose;

Academy to be governed by a president, &c.

…BE IT THEREFORE ENACTED, That the said seminary or school be called Lower-Marlborough …emy; and the said academy shall hereafter be governed by a president and nine trustees, and for …resent the honourable Charles Grahame, Esquire, shall be president, and the honourable colonel …am Fitzhugh, Benjamin Mackall, doctor John Hamilton Smith, Thomas Gantt, junior, Samuel …, Patrick Sim Smith, doctor Edward Johnson, Edward Reynolds and Alexander Howard Ma-…r, shall be trustees for the said academy, who shall be subject to the same penalties, and be in-…d with the same rights, privileges, powers and authorities, to every intent and purpose, as the …rs of the county free-schools within this state are, and shall have succession in like manner.

Five trustees may meet, &c.

…AND BE IT ENACTED, That any five of the said trustees, with or without the said president, …be and are hereby empowered to meet at the said academy, from time to time, and they, or a …part of them, so met, may do any matter or thing which the said president and trustees might …ny law to the contrary notwithstanding.

Trustees to receive monies, &c.

…AND BE IT ENACTED, That the trustees constituted by this act, or the major part of them, …and they are hereby empowered to receive all monies belonging to the said free-school that may …the hands of the visitors chosen under the former act of assembly, and also all monies that may …the hands of the treasurers of the eastern or western shores, belonging to the said free-school, …such visitors and trustees are hereby directed to render an account to the trustees appointed by …act, of such sum or sums of money which may be in their hands, and to pay the same into the …of the said trustees, and in case of neglect or refusal to render such account within six months …the publication of this act, the said trustees, or the major part of them, may and they are here-…thorised to sue for, recover and receive the same, in an action of trespass on the case, in which …ll be sufficient to declare for so much money had and received by the defendant for the use of …laintiff.

And make rules, &c.

…AND BE IT ENACTED, That the said president and trustees, or the major part of them, shall …hey are hereby empowered to make, alter or amend, such rule or rules as they may think ex-…nt and necessary for the better regulating and governing the said academy.

Free-school to be sold, &c.

…AND BE IT ENACTED, That Charles Grahame, colonel William Fitzhugh and Samuel Chew, …res, or any two of them, are hereby authorised, empowered and required, to make sale, by way …blic vendue, of the said free-school of Calvert county, with the land thereto belonging, to the …nd highest bidder, and convey the same in fee-simple to the purchaser or purchasers, his or their …or assigns, for ever, and the money arising by the sale thereof shall be paid into the hands of the …rustees, to be by them applied for the uses of the said academy.

VII. AND,

CHAP. XVI.

Land to remain, &c.

VII. AND, whereas the lot of ground on which the ſaid academy now ſtands was purchaſed doctor John Hamilton Smith, who conveyed the ſame to the uſe of the ſaid academy, BE IT ENA That all the land ſo purchaſed from and conveyed by doctor John Hamilton Smith, for the uſe ſaid, ſhall be and for ever remain to the uſe of the ſaid academy, and the truſtees of ſaid aca for the time being, and their ſucceſſors, ſhall be veſted with all the right, title and intereſt, ſaid land, ſubject to the uſe aforeſaid.

CHAP. XVII.

Paſſed 15th of Dec. 1778.

An ACT for the regulation of officers fees. Lib. GR. fol. 305.

To continue until the firſt day of November, 1779, &c. Expired.

CHAP. XVIII.

An ACT to increaſe the allowance of magiſtrates, and for other purpoſes therein mentioned. GR. fol. 330.

To continue until the firſt day of November, 1779, &c. Expired.

CHAP. XIX.

An ACT to prevent diſtilling grain into ſpirit. Lib. GR. fol. 331.

CHAP. XX.

An ACT directing the manner of ſuing public bonds, and to aid ceedings in the ſeveral courts upon ſuch bonds. Lib. GR. fol.

Preamble.

WHEREAS ſince the eſtabliſhment of the preſent government, it is doubted whether ſui be maintained upon adminiſtration, teſtamentary, ſheriffs, and other public bonds, in the of the late proprietary, and it is alſo doubted whether ſuits now depending on ſuch bonds can b ſecuted to judgment: And whereas the people of this ſtate are much intereſted in ſuch bonds,

Copies may be obtained, &c.

II. BE IT THEREFORE ENACTED, *by the General Aſſembly of Maryland*, That it ſhall and m lawful for any perſon or perſons, who are or may be intereſted in ſuch bonds, to obtain copy pies thereof, and to ſue in his, her, or their own name or names, for the penalty of ſuch bon which ſuits it ſhall be ſufficient to declare that ſuch bond or bonds were made and paſſed obligee in ſuch bonds named, whereby action accrued to the party ſuing the ſame, to have a mand from the obligor or obligors therein mentioned, the penalty in ſuch bond mentioned, and proceeding ſhall be had thereon as will bring the matter in diſpute between the parties fairly to and judgment ſhall be given for the ſum juſtly due to the plaintiff.

Suits may be proceeded on, &c.

III. AND BE IT ENACTED, *by the authority aforeſaid*, That all ſuits now depending upon ſuch b ſhall and may be proceeded on to judgment and execution, in the name or names of the plaint plaintiffs in the original writs mentioned.

Officers to deliver copies, &c.

IV. AND BE IT ENACTED, *by the authority aforeſaid*, That the ſeveral and reſpective officers may have the keeping of ſuch bonds, ſhall deliver copies of the ſame under ſeal to any perſon o ſons who may apply for the ſame, he, ſhe or they, paying to ſuch officer therefor the ſum of te lings current money; and no ſuit upon any ſuch bond ſhall abate by the death of the late propri

No plea to be received, &c.

V. AND BE IT ENACTED, That no plea of *non eſt factum* ſhall be received in any ſuit upo adminiſtration, teſtamentary, ſheriffs, or other public bonds, unleſs the ſame be verified by the vit of the party offering to plead the ſame.

CHAP. XXI.

An ACT for amending and declaring the law in the caſes the mentioned. Lib. GR. fol. 333.

Preamble.

* 1715, ch. 37.

WHEREAS by the act, entitled, * An act cauſing grand and petit jurors to come to the vincial and county courts, and aſcertaining their allowances, it is among other provided, that no perſon having any matter of fact depending for trial in any court whatſoever, be admitted as a qualified juror, between party and party, during the ſitting of ſuch court tha matter of fact ſhall be, or ſhall be expected to be tried in;

No verdict to be ſet aſide, &c.

II. BE IT ENACTED AND DECLARED, *by the General Aſſembly of Maryland*, That no verdict o ſhall hereafter be ſet aſide, nor judgment on any verdict ſtayed, arreſted or reverſed, by reaſo any juror who tried the cauſe had a matter of fact depending for trial as aforeſaid.

III. Prov

CHAP. XXI.

Proviſo.

. Provided nevertheleſs, That it ſhall and may be lawful, to and for the plaintiff or defen- in any cauſe to be tried in any of the ſaid courts, to challenge any juror by reaſon that ſuch hath a matter of fact depending for trial as aforeſaid, and that the having a matter of fact depend- r trial as aforeſaid; ſhall be held and allowed to be a good cauſe of challenge to any ſuch juror.

Form of recognizance of bail.

. And be it further enacted, That inſtead of the form of recognizance of bail preſcribed e act, entitled, (a) An act for taking ſpecial bail in the ſeveral counties in this ſtate, upon acti- r ſuits depending in the general court, and in the ſeveral county courts of this ſtate, the follow- orm ſhall be obſerved and uſed in all actions to be commenced from and after the end of this nt ſeſſion of aſſembly; that is to ſay, John Doe, plaintiff, againſt Richard Roe, defendant. A. B. and C. D. do jointly and ſeverally acknowledge yourſelves ſpecial bail for the ſaid Ri- Roe, at the ſuit of the ſaid John Doe, in an action of debt brought by the ſaid John Doe againſt id Richard Roe, in the general court. They acknowledge themſelves to be content therewith, — day of ———, before ———. To the honourable the judges of the general court. ng nevertheleſs the ſaid form, according as the nature of the action may require; and that the ecognizance ſhall have the ſame force and effect as any recognizance of bail acknowledged and in open court.

(a) 1715, ch. 28, in which the old form is inſerted with the reſt of the act, a part of which is in force.

Juſtices to examine, &c.

And be it further enacted, That the judge or juſtices by and before whom any ſuch re- ance of bail ſhall be taken and acknowledged, ſhall, and they are hereby required, carefully to ne into the circumſtances and ſufficiency of the bail ſo to be taken as aforeſaid, and to be care- t they do not take any recognizance of bail of perſons that ſhall not appear to them to have ent eſtate within this ſtate to anſwer the ſame at the time of taking and acknowledging thereof; ded that nothing herein ſhall be conſtrued to abridge or take away the power of the juſtices of eneral or county courts within this ſtate to make rules and orders for the juſtifying bails and g the ſame abſolute, or to examine the ſureties upon oath, touching the value of their eſtates, the ſaid recited act they are required to do.

Plaintiff may iſſue execution, &c.

And be it alſo enacted, That upon any judgment hereafter to be rendered upon any recog- ce of bail, it ſhall and may be lawful for the plaintiff or plaintiffs therein to iſſue execution the body, goods or chattels, lands or tenements, of the defendant, as if the ſaid judgment for his own proper debt, any law, uſage or cuſtom, to the contrary thereof in anywiſe not- anding.

Execution may iſſue on any judgment, &c.

. And be it enacted and declared, That execution may be iſſued on any judgment ren- in the provincial court, or rendered or to be rendered in the general court, or in any county of this ſtate, with ſtay of execution, at any time within one year next after the expira- f ſuch ſtay; provided that the ſtay of execution be entered upon the clerk of the court his , at the ſame court when the judgment ſhall be rendered; and alſo after the diſſolution of any tion of or from the court of chancery, or the diſcharge or expiration of any *ſuperſedeas*, on ap- r any writ of error, at any time within one year after diſſolution of ſuch injunction or diſcharge, iration of ſuch *ſuperſedeas*.

Court may give judgment upon award, &c.

. And be it further enacted, That if any cauſe, inſtituted, or hereafter to be inſtituted, of the courts of this ſtate, ſhall, by rule of court, and by the conſent and agreement of the thereto, be ſubmitted and referred to the award and arbitrament of any perſon or perſons, l and may be lawful to and for ſuch court to give judgment upon the award of the perſon ſons to whom ſuch ſubmiſſion and reference ſhall be made, as of the court to which ſuch ſhall be returned, and to award execution thereon, in the ſame manner as they might do upon confeſſion or nonſuit, and that ſuch judgment ſhall have the ſame effect, to every intent and e, as any judgment upon verdict or confeſſion would have.

Proviſo.

. Provided always, That ſuch award ſhall remain ſeven days in the general court during their , if returned to the general court, or four days in the reſpective county courts during their ſit- if returned to any county court, after the return thereof, before any ſuch judgment ſhall be d up; and if it ſhall appear to the juſtices of the court to which any ſuch award ſhall be return- within the reſpective times aforeſaid, that the ſame was obtained by fraud or malepractice, in or priſe, impoſition, or deception of the arbitrators, or without due notice to the parties, or their ey or attornies, it ſhall and may be lawful for the ſaid court to ſet aſide ſuch award, and refuſe judgment thereon.

CHAP. XXI.

Proviſo.

X. PROVIDED ALWAYS, AND BE IT ENACTED, That if any cauſe which hath been referr which ſhall hereafter be referred, by virtue of this act, either of the parties, or any of the a tors to whom the ſame is or ſhall be referred, hath died, or ſhall happen to die before any awa or ſhall be made, or if the arbitrators, or any of them, have refuſed or ſhall refuſe to act, or i an award made the ſame hath been or ſhall be ſet aſide, that then all that ſpace of time from t petration of the original writ in ſuch cauſe, until the death of the party or arbitrator, or ref act, or ſetting aſide ſuch award, ſhall not run, be had, reckoned or eſtimated, as part of th limitted for the bringing or proſecuting ſuch ſuit, and that this act ſhall and may be taken adv of, in bar of the act of limitation, without any ſpecial replication, any thing to the contrary notwithſtanding.

On *habeas corpus*, *procedendo* may be awarded, &c.

XI. AND BE IT FURTHER ENACTED, That if any *habeas corpus* ſhall be hereafter iſſued by a fendant out of the general court, to remove any cauſe depending in any county court with ſtate, if upon the return of any ſuch writ, and the record certified into the ſaid general co ſhall appear to the judges of the ſame court, that the original debt or damages do not exceed t pounds ſterling, thirty-three pounds ſix ſhillings and eight-pence current money, or two th pounds of tobacco, or where the action ſhall be brought upon a bond or other ſpecialty for th ment of money or tobacco, or payment or performance of any bill of exchange proteſted, it ſh pear to the ſaid judges that the principal ſum mentioned in ſuch ſpecialty or condition there due on ſuch bill of exchange proteſted, doth not exceed twenty pounds ſterling, thirty-three p ſix ſhillings and eight-pence currency, or two thouſand pounds of tobacco, the ſaid judges general court, upon the prayer of the plaintiff in ſuch caſe, ſhall award a *procedendo* on ſuch *habeas corpus*, any law, uſage or cuſtom, to the contrary notwithſtanding.

Judgments on awards good, &c.

XII. AND BE IT FURTHER ENACTED, That in all caſes whatſoever, where judgments hav entered agreeable to awards heretofore made, the ſame ſhall be deemed and taken to be go valid, and as effectual in law, to all intents and purpoſes, as if the ſame judgment had been re upon verdict or confeſſion.

Proviſo.

XIII. PROVIDED ALWAYS, That nothing in this act contained ſhall extend or be conſtrued tend, to eſtabliſh, or in any manner affect, any judgment that hath been entered, on which a of error or appeal hath been preſented, or is now depending, but that ſuch judgment ſhall be dered in all reſpects as if this act had not been made, or be conſtrued to affect any perſon or p that hath or have purchaſed any lands, tenements or hereditaments, *bonâ fide*, and on good and ble conſideration, but that ſuch purchaſer or purchaſers ſhall be and remain in the ſame ſtate, and condition, as if this act had not paſſed.

Bill of exception may be taken, &c.

XIV. AND, whereas inconveniencies have ariſen to ſuitors, where the judges and juſtices ſeveral courts of law in this ſtate have been divided in opinion; BE IT ENACTED AND DECL That in all actions in any of the courts of common law of this ſtate, wherein the ſaid judges tices ſhall be divided in opinion, any perſon affected by ſuch diviſion, in any of the ſaid cou any action whatſoever, ſhall and may be entitled to and have his bill of exception, in the ſam ner as if the opinion of the court had been given againſt him, and as ſuch perſon would be entitled to in other caſes.

Fine on jurors, &c.

XV. AND, whereas the fines which can by law be impoſed upon jurors and witneſſes for tending court, when legally ſummoned thereto, are found inadequate to the purpoſe; BE IT EN That in all caſes when jurors or witneſſes ſhall be hereafter legally ſummoned to appear at t neral court, and ſhall without ſufficient excuſe neglect to appear and attend according to ſuc mons, the judges of the general court may fine ſuch delinquent according to their diſcretion, ceeding fifty pounds; and whenever any jurors or witneſſes ſhall be legally ſummoned to atte reſpective county courts, and ſhall, without ſufficient excuſe, neglect to appear and attend as re by the ſummons, ſuch delinquent may be fined by the juſtices of the reſpective county cour ſum not exceeding thirty pounds common money.

By April, 1782, ch. 40, they may be fined £. 35 in the general court, and £. 20 in the county courts.

Courts aboliſhed, &c.

XVI. AND, whereas by the bill of rights and form of government the general aſſembly ſtate is directed to be holden in the month of November yearly, and by law the ſeveral and reſp county courts are directed to be holden in the ſame month, which is found by experience to b inconvenient; BE IT THEREFORE ENACTED, That the reſpective county courts on the eaſtern which, by act of aſſembly, are directed to be holden in the months of Auguſt and November y

CHAP. XXI.

...olished, and that the same be hereafter held in the months of June and October; that is to say, ...veral and respective county courts on the eastern shore, which were held in the months of Au... ...d November, shall hereafter be held in the same weeks in the months of June and October that ...id county courts by law were directed to be held in the months of August and November, and ...all acts, proceedings and other matters whatever, which ought or might have been done or ...ted at the said August and November courts by the justices and officers of the said respective ..., shall and may be done and executed at the several and respective county courts to be held in ...onths of June and October as aforesaid, and such acts, proceedings and other matters, so to be ...done and executed, shall be as good and effectual, to all intents and purposes, as if had, done ...cuted, at the said August and November court before mentioned; and the commissioners of the ... the several counties shall meet on the same days in August next, to hear appeals, as they would ...ght to have done had this law not been made, any law, usage or custom, to the contrary not...standing.

The times for holding courts, &c. have been since changed by a variety of acts.

...II. This act to continue for and during the space of seven years, and to the end of the next of assembly which shall happen after the expiration of the said seven years. Duration.

Continued for seven years, &c. by 1785, ch. 77, and by November, 1792, to 30th October, 1799, &c.

CHAP. XXII.

...upplementary act to an act, entitled, An act for the amendment ...f the law. Lib. GR. fol. 337.

Passed 15th of Dec. 1778.

...HEREAS doubts have been conceived under the act, entitled, An act for the amendment of the law, passed in the year seventeen hundred and seventy-three, (a) whether persons under ...e of twenty-one years are intended to be bound by any deed or conveyance made and executed ... guardian or guardians only of such persons under age, pursuant to the direction of the court ...ncery, in the cases in the said act specified; Preamble.

(a) Ch. 7, November session.

...BE IT THEREFORE ENACTED, *by the General Assembly of Maryland*, That from and after the ...eth day of December, seventeen hundred and seventy-eight, any person or persons under the ... twenty-one years, seized or possessed of any lands, tenements or hereditaments, in trust, or ...y of mortgage, or seized or possessed thereof, charged or chargeable with the payment of money ...acco, and therefore subject or liable to a decree for sale, or bound by an agreement to convey, ...by some person or persons having right or title to make such agreement, and therefore subject ...le to a decree for sale, or bound by an agreement to convey, made by some person or persons ... right or title to make such agreement, and therefore subject or liable to a decree for convey...on a suit for a specific performance or execution of such agreement, shall, by the direction of ...urt of chancery, signified by an order made upon the petition of the person or persons for ...such infant or infants shall be seized or possessed in trust, or of the mortgagor or mortgagors, ...er person or persons entitled to redemption, or person or persons entitled to money or tobacco, ...d by or upon the said lands, tenements or hereditaments, or of the person or persons entitled ... money or tobacco, with the payment whereof the said lands, tenements or hereditaments, ... shall be charged or chargeable, or of the person or persons entitled to a specific performance ...ecution of such agreement as aforesaid, be bound and concluded by any deed or deeds, con...ce or conveyances, assurance or assurances, made and executed by the guardian or guardians ... appointed by the said court) of such person or persons, under the age of twenty-one years as ...aid, in pursuance of such order and direction of the court of chancery, and such deed or deeds, ...yance or conveyances, assurance or assurances, so to be had and made as aforesaid, shall be as ...valid and effectual in law, as if such infant or infants were, at the time of making such deed ...eds, conveyance or conveyances, assurance or assurances, of the full age of twenty-one years, ...ed by him, her or themselves, executed the same, any thing in the said recited act to the con...thereof in anywise notwithstanding. Certain deeds good, &c.

...AND BE IT FURTHER ENACTED, That all conveyances and deeds heretofore made by the ...an or guardians of any infant or infants, in the cases aforesaid, pursuant to the direction of the ...ery court, shall and they are hereby declared to be valid and effectual, and to have such opera...nd effect as declared by the decree or order of the chancellor who directed the same. Conveyances valid, &c.

...PROVIDED NEVERTHELESS, That liberty be reserved to the infant or infants herein before ...ned, and the heirs of such infant or infants, to shew cause why such deed or deeds, convey- Proviso.

CHAP. XXII. ance or conveyances, assurance or assurances, ought not to have been ordered or directed, wit months, as limitted in the said recited law, and in the manner and within the time therein men

Enacted into a permanent law by 1798, ch. 71, with the principal act, under which the several continuances are not

CHAP. XXIII.

Passed 15th of Dec. 1778. An ACT for the relief of Robert Darnall, and others. Lib. GR. fol. 338.

CHAP. XXIV.

An ACT for the relief of certain nonjurors therein mentioned. Lib. GR. fol. 339.

CHAP. XXV.

An ACT for the payment of the journal of accounts. Lib. GR. fol. 341.

1779. At a SESSION of the GENERAL ASSEMBLY of MARYLA begun and held at the CITY of ANNAPOLIS, on Tuesday, 9th of March, in the year of our Lord 1779, and ended the day of the same month, the following laws were enacted.

THOMAS JOHNSON, ESQUIRE, GOVERNOR.

CHAP. I.

Passed 25th of March, 1779. A Supplement to the act (a) to prevent distilling grain into spirit. Lib. TBH. No. 1. fol. 12

(a) October, 1778, ch. 19.

CHAP. II.

An ACT for the appointment of visitors for Kent county sch Lib. TBH. No. 1. fol. 125.

Preamble. WHEREAS it has been represented to this general assembly, by the petition of sundry p late visitors of Kent county school, that from inattention, the visitors of the said scho not take, repeat and subscribe the oath of fidelity to this state, prescribed by an act, entitled, to punish certain crimes and misdemeanors, and to prevent the growth of toryism, agreeable directions thereof, by means whereof the said visitors were disqualified to discharge the trust in reposed: And whereas it is necessary, for the good government of the said school and the education of youth, that visitors should be appointed;

Visitors appointed, &c. II. BE IT THEREFORE ENACTED, *by the General Assembly of Maryland*, That Joseph Nicholson, Anderson, Thomas Smyth, Thomas Beddingfield Hands, John Scott, James Anderson, junior doctor William Bordley, be and are hereby nominated, appointed and named, visitors of Kent ty school, and shall be and are hereby vested with as full and ample powers as any visitors of th school have heretofore had or enjoyed.

Proviso. III. PROVIDED NEVERTHELESS, AND BE IT ENACTED, That no person appointed visitor as said shall act as such before he shall subscribe a declaration of his belief in the christian religion take the several oaths (or if a quaker, menonist or tunker, the affirmations,) required of visit schools by the constitution and laws of this state, which said oaths or affirmations any one of th visitors may administer to the others, any law to the contrary notwithstanding.

CHAP. III.

An ACT to prohibit the raising of swine, geese and sheep, in Chester-town, in Kent county. TBH. No. 1. fol. 126.

CHAP. IV.

An ACT to enable William Bordley and Arthur Bordley, administrators of Stephen Bordley, late of Kent county, deceased, to sell and dispose of a lot of ground in the said county. TBH. No. 1. fol. 126. A Private Act.

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CHAP. V.

ACT to continue the act (a) of assembly for enlarging the powers of the governor and council, and for other purposes therein mentioned. Lib. TBH. No. 1. fol. 130. Passed 25th of March, 1779.

(a) The act of October, 1778, ch. 10, continued to the end of the next session, and this act, for the other purposes therein mentioned, was to continue to the 20th of June then next. Expired.

CHAP. VI.

ACT for reviving and continuing the actions and process in Worcester county court. Lib. TBH. No. 1. fol. 132.

CHAP. VII.

ACT to revive and aid the proceedings of Caroline county court, and for other purposes therein mentioned. Lib. TBH. No. 1. fol. 133.

CHAP. VIII.

ACT to enlarge the powers of Ariana Ross, executrix of doctor David Ross, deceased. Lib. TBH. No. 1. fol. 135. A Private Act.

CHAP. IX.

ACT for the establishment of select vestries. Lib. TBH. No. 1. fol. 136. Repealed with all the supplementary acts by 1798, ch. 24.

CHAP. X.

ACT to continue the acts of assembly therein mentioned. Lib. TBH. No. 1. fol. 141.

BE IT ENACTED, *by the General Assembly of Maryland*, That an act of assembly, entitled, An act to prevent forestalling and engrossing, and for other purposes therein mentioned, made at a session of assembly begun and held at the city of Annapolis on Monday the twenty-sixth of October, seventeen hundred and seventy-eight, (b) be and is hereby continued, and shall be and remain in full force until the end of the next session of assembly; that another act of assembly, entitled, An act to prohibit, for a limitted time, the exportation of wheat, flour, rye, Indian corn, rice, bread, beef, pork, bacon, live stock, peas, beans, oats, and other victual, made at a session of assembly begun and held at the city of Annapolis on Monday the twenty-sixth of October, seventeen hundred and seventy-eight, (c) be and is hereby continued, and shall be and remain in full force until the end of the next session of assembly. Acts continued.

(b) October, 1778, ch. 8. (c) October, 1778, ch. 10.

CHAP. XI.

A supplement to the act (d) to raise the supplies for the year seventeen hundred and seventy-nine. Lib. TBH. No. 1. fol. 142.

(d) October, 1778, ch. 7.

CHAP. XII.

ACT for the relief of Henry Stevenson, sheriff of Baltimore county. Lib. TBH. No. 1. fol. 145.

CHAP. XIII.

ACT for the relief of Thomas Lightfoot, a languishing prisoner in Talbot county gaol. Lib. TBH. No. 1. fol. 145.

CHAP. XIV.

ACT for the relief of James Bartlett, of Talbot county, and the reverend Bartholomew Booth, of Frederick county. Lib. TBH. No. 1. fol. 148.

CHAP. XV.

ACT for removing sundry original papers in the late prerogative-office to the several orphans courts in this state, and such original papers lodged in the late secretary's office as relate to suits in the general court for the eastern shore. Lib. TBH. No. 1. fol. 149.

WHEREAS difficulties have frequently arisen for the want of original papers in actions formerly commenced in the provincial court, and depending in the general court of the eastern shore, and also in the several orphans courts of this state for the want of original papers in the late prerogative-office; Preamble.

II. BE

CHAP XV. Papers to be ſorted, &c.

II. BE IT ENACTED, That the officer having the cuſtody of the records and papers of the provincial court ſhall, on or before the ninth day of April next, ſort out, diſtribute, and ſeparate and ſecurely pack up, in a box to be prepared by him for that purpoſe, all the original papers in actions, pleas, proceſs and proceedings, formerly commenced in the provincial court, and now pending in the general court on the eaſtern ſhore, and the ſame ſo packed up and ſorted ſhall, by before the aforeſaid ninth day of April next, ſafely tranſmit, under the care of ſome truſty perſ to the clerk of the general court for the eaſtern ſhore, and the ſaid perſon, ſo packing up and tra mitting the papers aforeſaid, ſhall have ſeventy-five pounds for his trouble and expences.

This and the ſucceeding ſection were repealed by May, 1788, ch. 9.

Papers in the prerogative-office to be packed up, &c.

III. AND BE IT ENACTED, That the officer having the cuſtody of the original papers in the prerogative-office ſhall, on or before the firſt day of October next, ſort out and pack up, in diſti parcels, all the original papers to each county belonging, or in any manner appertaining to eſtates of deceaſed perſons, which have been lodged in the late prerogative office, from the year venteen hundred and ſixty, and which eſtates may not have been finally ſettled, and ſuch papers, ſorted, the officer aforeſaid ſhall depoſit in boxes or packages, to be prepared by him for that purp and the ſame ſhall ſafely tranſmit to the regiſter of wills in each county in this ſtate, and the regi of wills in each county ſhall cauſe ſuch original papers, contained in ſuch box for his county, on ceipt thereof, to be lodged in his office within ten days after the receipt thereof, under the pen of twenty pounds current money; and the officer packing up and tranſmitting the papers laſt afo ſaid, ſhall be entitled to three hundred pounds for his ſervices.

Regiſters to ſeparate, &c. papers, &c.

IV. AND BE IT ENACTED, That the regiſter of wills for Frederick county ſhall, and he is her required, to ſeparate, ſort and pack up, all ſuch papers as he ſhall receive from the officer aforeſ and which ſhall relate to any eſtate in Montgomery and Waſhington counties, and tranſmit the ſa within twenty days from his receipt thereof, to the regiſter of wills for Montgomery and Waſhing counties reſpectively, under the penalty of twenty pounds; and the regiſter of wills for Baltim county ſhall, and he is hereby required, to ſeparate, ſort and pack up, all ſuch papers as he ſhall ceive from the officer aforeſaid, and which may relate to any eſtate in Harford county, and tranſ the ſame, within twenty days from his receipt thereof, to the regiſter of wills for Harford coun under the penalty of twenty pounds; and the regiſter of wills for Queen-Anne's and Dorche counties reſpectively, ſhall ſeparate, ſort and pack up, all ſuch papers as they ſhall receive from officer aforeſaid, and which may relate to any eſtate in Caroline county, and tranſmit the ſame, wi in twenty days from the receipt thereof, to the regiſter for Caroline county, under the pena of twenty pounds; and the reſpective regiſters of wills for Frederick, Baltimore, Queen-Ann and Dorcheſter counties, ſhall be entitled to a reaſonable reward for their ſervices, to be aſſeſſed their reſpective county levies.

CHAP. XVI.

An ACT for the payment of the journal of accounts. Lib. TBH. No. 1. fol. 151.

At a SESSION of the GENERAL ASSEMBLY of MARYLAND begun and held at the CITY of ANNAPOLIS, on Thurſday, th 22d of July, in the year of our Lord 1779, and ended the 15 day of Auguſt, the following laws were enacted.

THOMAS JOHNSON, ESQUIRE, GOVERNOR.

CHAP. I.

Paſſed 15th of Auguſt, 1779.

An ACT to revive and continue the late act (a) of aſſembly to prevent diſtilling grain into ſpi Lib. TBH. No. 1. fol. 152.

(a) The act of October, 1778, ch. 19, revived and continued from the 14th of Auguſt till the 15th of November then next.

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CHAP. II.

ACT to reſtrict the delegates of this ſtate in congreſs from engaging in any trade, either foreign c domeſtic. Lib. TBH. No. 1. fol. 152. Paſſed 15th of Auguſt, 1779.

To continue two years, &c. Expired.

CHAP. III.

ACT to aid and make valid the proceedings of Talbot county court. Lib. TBH. No. 1. fol. 153.

CHAP. IV.

ACT relating to the iſſuing of writs of *certiorari* and *habeas corpus* out of the general court in civil cauſes. Lib. TBH. No. 1. fol. 154.

HEREAS it was heretofore generally the practice to obtain the allowance of ſome one of the judges of the provincial court to every writ of *certiorari* and *habeas corpus*, as well in civil as inal cauſes, and as ſuch practice is not only unneceſſary, but may be attended with great incon- ience and expence to ſuitors; Preamble.

BE IT ENACTED, *by the General Aſſembly of Maryland, and it is hereby declared*, That on any writ rtiorari or *habeas corpus*, iſſued out of the general court to any court in this ſtate, in any civil e, the allowance of any one of the judges of the ſaid general court is not neceſſary, and every writ ſhall be obeyed according to the command thereof and the law of the land. Allowance of a judge not neceſſary.

CHAP. V.

dditional ſupplement to the act, entitled, (a) An act to raiſe the ſupplies for the year ſeventeen ndred and ſeventy-nine. Lib. TBH. No. 1. fol. 155.

(a) October, 1778, ch. 7.

CHAP. VI.

ACT for naturalization. Lib. TBH. No. 1. fol. 157.

Supplementary and other acts 1789, ch. 24, November, 1792, ch. 14, 1797, ch. 60.

HEREAS the increaſe of people is a means to advance the wealth and ſtrength of this ſtate: And whereas many foreigners, from the lenity of our government, the ſecurity afforded by conſtitution and laws to civil and religious liberty, the mildneſs of our climate, the fertility of ſoil, and the advantages of our commerce, may be induced to come and ſettle in this ſtate, if were made partakers of the advantages and privileges which the natural born ſubjects of this do enjoy; Preamble.

BE IT THEREFORE ENACTED, *by the General Aſſembly of Maryland*, That every perſon who ſhall after (b) come into this ſtate, from any nation, kingdom or ſtate, and ſhall, before the governor council, or before the general court, or any one of the judges thereof, or before any county t of this ſtate, (c) repeat and ſubſcribe a declaration of his belief in the chriſtian religion, and repeat and ſubſcribe, the following oath, or affirmation if a quaker, menoniſt or tunker, to wit: A. B. do ſwear or affirm, that I will hereafter become a ſubject of the ſtate of Maryland, and ll be faithful and bear true allegiance to the ſaid ſtate, and that I do not hold myſelf bound to ld any allegiance or obedience to any king or prince, or any other ſtate or government," (which oath or affirmation, and ſubſcription aforeſaid reſpectively, the governor and the council, the ral court, or any one judge thereof, or any county court, are hereby empowered to adminiſter take,) ſhall thereupon and thereafter be deemed, adjudged and taken, to be a natural born ſub- of this ſtate, and ſhall be thenceforth entitled to all the immunities, rights and privileges, of a ral born ſubject of this ſtate; provided that no perſon who ſhall become a natural born ſubject of ſtate by virtue of this act, ſhall be appointed to any civil office, or eligible as governor, member e council, or general aſſembly, or as a delegate to congreſs, unleſs ſuch perſon ſhall have reſided n this ſtate ſeven years previous to ſuch election or appointment, and ſhall have the property eſtate required by the conſtitution and form of government to execute any of the ſaid offices ctively. Foreigners taking the oath of allegiance deemed ſubjects, &c.

III. AND

(b) By 1797, ch. 60, it is declared, that all foreigners who emigrated and ſettled in this ſtate before the 22d of July, 1779, have continued therein, and their deſcendants, ſhall be deemed to have been and to be citizens of this ſtate, &c. as if they d been natural born citizens.

(c) By 1789, ch. 24, and November, 1792, ch. 14, certain foreigners are relieved who had not complied with this act, on taking the oaths, &c.

CHAP. VI.

Lists to be returned, &c.

III. AND BE IT ENACTED, That the clerk of the council shall, before the session of every ge court, return a list of the names of the persons who shall take and subscribe the said oath or aff tion, and make the said declaration respectively, before the governor and the council, and the when taken and made, to the clerk of the general court, to be entered by him among the minut the said court; and any judge of the general court, administering and taking the said oath or aff tion, shall return to the next general court a list of the names of the persons who shall take and scribe the said oath or affirmation, and make the said declaration respectively before him, an time when taken and made, to the clerk of the general court, to be entered by him amon minutes of the said court.

Certificate deemed sufficient, &c.

IV. AND BE IT ENACTED, That a certificate by the clerk of the council, or by any judge o general court, or by the clerk of the general or any county court, of any person's having take subscribed the said oath or affirmation, and having made and subscribed the said declaration, or a tificate by the clerk of the general court, that it appears by the return of any judge of the said entered among the minutes, of any person's having taken and subscribed the said oath or affirma and having made and subscribed the said declaration, shall be deemed and taken to be a sufficien timony and proof thereof, and of his being a natural born subject, and as such shall be allow every court of this state.

No tax to be imposed on foreigners, &c.

V. AND, to encourage such foreigners to come and settle in this state, BE IT ENACTED, Th tax shall be imposed on any such foreigner coming into this state, and taking and subscribing th claration, and oath or affirmation, aforesaid, or his property, for the term of two years after h rival in this state.

Nor on foreign tradesmen, &c.

VI. AND, to encourage such foreigners tradesmen, artificers and manufacturers, to come and in this state, BE IT ENACTED, That no tax shall be imposed on any such foreigner, being a tr man, artificer or manufacturer, coming into this state, and taking and subscribing the declar and oath or affirmation aforesaid, or his property, for the term of four years after his arrival i state.

This act is inserted on account of the rights acquired under it, but such parts as prescribe the mode of naturalization by the person is to be entitled to *all the immunities, rights and privileges of a natural born subject*, are not now in force, the government having by the constitution the power "to establish an uniform rule of naturalization throughout the United S and having passed a law for that purpose.

CHAP. VII.

Passed 15th of August, 1779.

An ACT to prohibit, for a limitted time, the exportation of wheat, flour, rye, Indian corn, bread, beef, pork, bacon, live stock, peas, beans, oats, and other victual. Lib. TBH. N fol. 159,

To continue until the end of the next session. Expired.

CHAP. VIII.

An ACT establishing a mode to perpetuate testimony. Lib. T No. 1. fol. 165.

Preamble.

WHEREAS it frequently happens, that material evidence is lost for want of an easy m perpetuate the same;

Depositions may be taken, &c.

II. BE IT THEREFORE ENACTED, *by the General Assembly of Maryland*, That it shall and may b ful for any person or persons to take the deposition or depositions of any witness or witnesses, may have knowledge of any fact, in proving which such person or persons may apprehend him, themselves, interested, before a judge of the general court, or justice of the county where such wit respectively reside, first giving twenty days notice to the party or parties against whom such de ons are intended to be used, or, in case of absence or minority, to his, her or their guardian, ag attorney, if any, and in case of absence, if no agent or attorney, setting up a notice in writ the court-house of the county where such deposition or depositions are intended to be taken, t days before such depositions are taken, which deposition or depositions so taken, with proof o notice, shall be lodged with the clerk of the county where the same are taken, to be recorded such clerk shall record the same, and receive for his service at the same rate per side as for rec any other matter.

And read in evidence, &c.

III. AND BE IT FURTHER ENACTED, *by the authority aforesaid*, That all such depositions, or a script thereof, under seal, whether taken before or after any suit or action commenced, may b

idence on any arbitration or trial at law or in equity, if such deponent or deponents die before arbitration or trial, or cannot be had to attend the same, of which satisfactory proof shall be made. CHAP. VIII.

PROVIDED ALWAYS, That nothing in this act is meant or intended to extend to proving the Proviso. laries of land, or in any manner to alter the law now in force for that purpose.

PROVIDED ALWAYS, That in case of minors who have no guardian or trustee, and in case of Proviso. ees who are residents of this state, and of all other absentees residents of other of the United , or residing in foreign states in amity with the United States, where such absentees have no e, guardian, agent or attorney, the common and usual mode of perpetuating testimony shall be ed, and no other, any thing herein contained to the contrary notwithstanding.

PROVIDED ALSO, AND BE IT ENACTED, That in all cases where testimony may be perpetuated Proviso. s act, and where it shall be made appear, to the satisfaction of the judge or justice, by affidavit party, that his witness or witnesses are sick and not likely to live, or may be about to march this state on the public service as a soldier or militia-man, it shall and may be lawful to take position or depositions of such witness or witnesses, on giving such notice less than twenty days, judge or justice may think reasonable, all circumstances considered, so that the party interest- guardian, trustee, agent or attorney, may have convenient time to attend.

AND BE IT ENACTED, That the judge or justice shall and he is hereby required to give the Judge, &c. to give a certificate, &c. certificate of having made affidavit, and of the number of days appointed for notice, which e lodged with the deposition or depositions, and an attested copy of such deposition or depositions, such certificate, shall be taken as good evidence of the truth of the facts therein contained.

AND, for regulating the chancery practice in the case of perpetuating testimony, BE IT Commission may issue, &c. ED, That commission shall and may issue to perpetuate testimony on bill for that purpose, be- y appearance of the party defendant, to such four persons, in the usual manner, as the chan- may approve, and on return of said commission, if no good objection be made thereto in twelve from the time of such return, the chancellor shall and may order the same to be recorded in ual memory, any law or usage to the contrary notwithstanding.

This act to continue three years, and unto the end of the next session of assembly which shall Duration. after the said three years.

Expired with the session of November, 1782; revived by November, 1783, ch. 30, for twenty-one years, &c.

CHAP. IX.

CT for the speedy conveyance of public letters and packets, and for other purposes. Lib. Passed 15th of August, 1779. H. No. 1. fol. 167.

To continue one year, &c. Expired with October session, 1780.

CHAP. X.

CT to direct the recording of a deed to John Brice. Lib. TBH. No. 1. fol. 170. A Private Act.

CHAP. XI.

CT for the relief of John Taylor, sheriff of Harford county, and Benjamin Cawood, collector e assessment in Charles county. Lib. TBH. No. 1. fol. 170. A Private Act.

CHAP. XII.

CT to direct the recording of a deed from Richard Jones and Anne his wife, to Edward Wil- of Prince-George's county. Lib. TBH. No. 1. fol. 171. A Private Act.

CHAP. XIII.

CT to appoint commissioners to take the depositions of witnesses on the petition of sundry in- ants of Cæcil county. Lib. TBH. No. 1. fol. 172.

CHAP. XIV.

ACT concerning nonjurors. Lib. TBH. No. 1. fol. 173.

T ENACTED, *by the General Assembly of Maryland*, That the treble tax, which nonjurors are Treble tax sus- ble to pay in virtue of the act, entitled, (a) An act for the better security of the government, pended. he act, entitled, (b) An additional supplement to the act for raising the supplies for the year en hundred and seventy-nine, shall be and is hereby suspended until the tenth day of Novem- , any thing to the contrary hereof notwithstanding.

(a) October, 1777, ch. 20. (b) July, 1779, ch. 5.

CHAP. XV.

Paſſed 15th of Auguſt, 1779. An ACT relating to the officers and ſoldiers of this ſtate in the American army, and other pur therein mentioned. Lib. TBH. No. 1. fol. 174.

CHAP. XVI.

An ACT to increaſe the fines on jurymen, witneſſes, conſtables, and others therein menti Lib. TBH. No. 1. fol. 176.

To continue one year, &c. Expired.

CHAP. XVII.

An ACT for the more effectual preventing foreſtalling and engroſſing, and for other purpoſes t in mentioned. Lib. TBH. No. 1. fol. 177.

To continue until the end of the next ſeſſion, &c. Expired.

CHAP. XVIII.

An ACT to authoriſe and empower Martha Roundel, of Prince-George's county, to diſpoſe the real and perſonal eſtate now in her poſſeſſion, by will. Lib. TBH. No. 1. fol. 190. A vate Act.

CHAP. XIX.

A Supplement to an act (a) for the ſpecial appointment of inſpectors, and for other purpoſes th mentioned. Lib. TBH. No. 1. fol. 192.

(a) October, 1778, ch. 11.

CHAP. XX.

An ACT to continue the act (b) of aſſembly for enlarging the powers of the governor and co and for other purpoſes therein mentioned. Lib. TBH. No. 1. fol. 193.

(b) The act of October, 1778, ch. 10, continued to the end of the next ſeſſion. Expired.

CHAP. XXI.

An ACT for the relief of certain nonjurors. Lib. TBH. No. 1. fol. 194.

CHAP. XXII.

An ACT for the payment of the journal of accounts. Lib. TBH. No. 1. fol. 195.

At a SESSION of the GENERAL ASSEMBLY of MARYLAN begun and held at the CITY of ANNAPOLIS, on Monday, 8th of November, in the year of our Lord 1779, and ended 30th day of December, the following laws were enacted.

THOMAS SIM LEE, ESQUIRE, GOVERNOR.

CHAP. I.

Paſſed 30th of Dec. 1779.

An ACT concerning nonjurors. Lib. TBH. No. 1. fol. 1.

Collection ſuſpended.

BE IT ENACTED, *by the General Aſſembly of Maryland*, That the collection of the treble tax, w nonjurors are liable to pay on the tax impoſed by the act, entitled, (c) An additional ſu ment to the act, entitled, An act to raiſe the ſupplies for the year ſeventeen hundred and ſeve nine, ſhall be and is hereby ſuſpended until the end of the preſent ſeſſion of this general aſſem any thing to the contrary hereof notwithſtanding.

(c) July, 1779, ch. 5.

CHAP. II.

An ACT for the relief of the reverend Francis Lauder. Lib. TBH. No. 1. fol. 1. A Pri Act.

CH

CHAP. III.

ACT for the relief of Anna Maria Ringgold, of Kent county, widow. Lib. TBH. No. 1. fol. 2. A Private Act. Passed 30th of Dec. 1779.

CHAP. IV.

ACT to prevent the raiſing of geeſe and ſwine in the town of Cambridge. Lib. TBH. No. 1. fol. 7.

CHAP. V.

ACT for the furtherance of juſtice in a particular cauſe. Lib. TBH. No. 1. fol. 8. A Private Act.

CHAP. VI.

ACT relating to the county courts of Caroline county. Lib. TBH. No. 1. fol. 9.

CHAP. VII.

pplement to the act (a) for the eſtabliſhment of ſelect veſtries. Lib. TBH. No. 1. fol. 9. Repealed, with the principal act, by 1798, ch. 24.

(a) March, 1779, ch. 9.

CHAP. VIII.

ACT for the erecting new warehouſes in the town of Bladenſburg. Lib. TBH. No. 1. fol. 10.

CHAP. IX.

ACT for the relief of the reverend Thomas Brown, of Dorcheſter county, and the reverend eph Meſſenger, of Saint-Mary's county. Lib. TBH. No. 1. fol. 12. A Private Act.

CHAP. X.

ACT to explain the ſeveral acts (b) of aſſembly heretofore made elative to the enrolment of deeds. Lib. TBH. No. 1. fol. 12.

(b) 1715, ch. 47, November, 1766, ch. 14.

HEREAS doubts have ariſen in ſome of the courts of juſtice of this ſtate, whether the time limitted by laws heretofore made for the enrolment of deeds and conveyances ſhould be com- by lunar or calendar months, and the computation by calendar months being moſt agreeable to ommon acceptation of the word month, and great inconvenience might ariſe to many of the in- ants of this ſtate by a different computation; Preamble.

BE IT THEREFORE ENACTED AND DECLARED, *by the General Aſſembly of Maryland*, That in all where the enrolment of deeds is directed by law to be made within ſix months from the day of ate of the ſame deeds, the ſaid months ſhall be deemed and taken, and are hereby declared to lendar months. To be deemed calendar months.

CHAP. XI.

ACT to enable the corporation of the city of Annapolis to ſell ertain lands, to lay a further tax on property within the ſaid city nd its precincts, to regulate and licenſe ordinaries and retailers of pirituous liquors within the ſaid city and the precincts thereof. ib. TBH. No. 1. fol. 13.

HEREAS it is repreſented to this general aſſembly, by the memorial of the corporation of the ſaid city of Annapolis, that Temple and Dean-ſtreets in the ſaid city are unneceſſary and , wherefore they pray that the corporation of the ſaid city, and their ſucceſſors, may be ena- o ſell the ſame; that the power given by act of aſſembly to lay a tax, not exceeding ſix-pence one year for every hundred pounds of property within the ſaid city, to defray the expences of ty, and the repairs of the ſtreets and dock, is inadequate for the purpoſe, wherefore they pray he ſaid corporation, and their ſucceſſors, may be enabled to lay ſuch further tax, not exceeding illings in any one year for every hundred pounds of property within the ſaid city or the pre- thereof; that many of the apprentices, ſervants and ſlaves, in the ſaid city, are corrupted, heir maſters deprived of their labour, and injured in their property, by the ſelling of rum and ſpirits to them by the ordinary-keepers and the great number of other retailers of ſpirituous s within the city, wherefore they pray that the power of regulating ordinaries and retailers of ous liquors within the city and the precincts thereof may be hereafter veſted in the ſaid corpo- Preamble.

CHAP. XI.

ration, and that the mayor's court of the ſaid city only may hereafter grant licences to ord keepers and retailers of ſpirituous liquors within the ſaid city and its precincts, under ſuch r tions and rules as the ſaid corporation may make, and that the ſaid corporation may reſerv lay a fine on every ſuch licence: And whereas this general aſſembly have thought proper to the ſeveral requeſts in the ſaid memorial;

Streets to be ſold.

II. BE IT ENACTED, *by the General Aſſembly of Maryland*, That the corporation of the ſaid c Annapolis, and their ſucceſſors, ſhall be, and they are hereby enabled to diſpoſe of, ſell and co to the purchaſer, the two ſtreets in the ſaid city called and known by the name of Temple and D ſtreets.

Corporation to lay a tax, &c.

III. AND BE IT ENACTED, That the ſaid corporation, and their ſucceſſors, ſhall be, and the hereby enabled to lay ſuch further tax, not exceeding five ſhillings in any one year for every hu pounds of property within the ſaid city, or the precincts thereof, as the ſaid corporation may proper.

See the note under the act.

And regulate ordinaries, &c.

IV. AND BE IT ENACTED, That the power of regulating ordinaries and retailers of ſpirituo quors within the ſaid city and the precincts thereof, ſhall be hereafter veſted in the ſaid corpora and their ſucceſſors, and that the mayor's court of the ſaid city only ſhall hereafter grant licenc ordinary-keepers and retailers of ſpirituous liquors within the ſaid city, and its precincts, under regulations and rules as the ſaid corporation, and their ſucceſſors, may make, and that the ſaid poration, and their ſucceſſors, may reſerve and lay ſuch fines on every licence granted by the mayor's court to any ordinary-keeper or retailer of ſpirituous liquor within the ſaid city or its cincts.

See the note under the act.

How vacancies are to be filled.

V. AND BE IT ENACTED, That the monies ariſing from the ſale of Temple and Dean-ſtreets, the taxes laid and from the fines impoſed by the ſaid corporation, in virtue of this act, be, and are hereby appropriated and applied, four fifths thereof to the building a market-houſe, repairing ſtreets, and cleanſing the dock, within the ſaid city, the remaining one fifth to and for the ordi and accuſtomed uſes of the ſaid corporation and city; and the ſaid corporation, and their ſucce are hereby authoriſed and empowered to lay and apply the monies to be raiſed by virtue of thi to the ſeveral uſes and purpoſes therein mentioned, in ſuch manner, at ſuch times, and in ſuch portions, as they may judge moſt for the benefit and advantage of the ſaid city; and they are he required annually to lay before the general aſſembly fair and diſtinct accounts of all the monies r in virtue of this act, and of the expenditure thereof.

Duration.

VI. This act, ſo far as the ſame relates to the power given to the corporation of the city of napolis, and their ſucceſſors, to regulate ordinaries and retailers of ſpirituous liquors within the city, and the precincts thereof, and to reſerve and lay fines on licences granted by the mayor's c of the ſaid city, and to the mayor's court to grant licences to ordinary-keepers and retailer ſpirituous liquors within the ſaid city, and its precincts, under ſuch regulations and rules as the corporation, and their ſucceſſors, may make, and ſo far alſo as the ſame relates to the powers g to the ſaid corporation, and their ſucceſſors, to lay a further tax, not exceeding five ſhillings on e hundred pounds of property within the ſaid city, and the precincts thereof, to continue from after the end of this preſent ſeſſion of aſſembly for and during the term of five years, and to the of the next ſeſſion of aſſembly which ſhall happen after the expiration of the ſaid five years.

Expired at the end of the term, by which the third and fourth ſections have ceaſed to operate.

CHAP. XII.

Paſſed 30th of Dec. 1779.

An ACT to continue the acts of aſſembly therein mentioned. L

TBH. No. 1. fol. 15.

Acts continued.

BE IT ENACTED, *by the General Aſſembly of Maryland*, That an act of aſſembly, entitled, An ac prevent counterfeiting the paper money of other colonies, made at a ſeſſion of aſſembly begun held at the city of Annapolis on Tueſday the fifteenth day of June, ſeventeen hundred and ſeve three, (a) be and is hereby revived and continued, and ſhall be and remain in full force for during the term of ſeven years, and to the end of the next ſeſſion of aſſembly which ſhall happen a the end of the ſaid ſeven years; that another act of aſſembly, entitled, An act to regulate the m tia, made at a ſeſſion of aſſembly begun and held at the city of Annapolis, on Monday the ſixte

(a) June, 1773, ch. 5.

of June, seventeen hundred and seventy-seven, (b) and a supplementary act to the act, entitled, CHAP. XII.
act to regulate the militia, made at a session of assembly begun and held at the city of Annapolis Friday the thirty-first day of October, seventeen hundred and seventy-seven, (c) and an additional supplement to the act, entitled, An act to regulate the militia, made at a session of assembly begun held at the city of Annapolis on Tuesday the seventeenth day of March, seventeen hundred seventy-eight, (d) be and are hereby continued, and shall be and remain in full force for and during the term of one year, and to the end of the next session of assembly which shall happen after the end of the said one year.

(b) June, 1777, ch. 17. (c) October, 1777, ch. 21. (d) March, 1778, ch. 12.

CHAP. XIII.

AN ACT relating to the marsh causeway in Caroline county. Lib. TBH. No. 1. fol. 16. Passed 30th of Dec. 1779.

CHAP. XIV.

AN ACT relating to public roads. Lib. TBH. No. 1. fol. 17.

To continue three years, &c. Further continued by November, 1782, ch. 32, until the end of the next session. Expired.

CHAP. XV.

AN ACT to incorporate the managers of Back creek school. Lib. TBH. No. 1. fol. 19.

A Supplement 1784, ch. 64.

WHEREAS sundry of the inhabitants of Somerset county, by their humble petition to this general assembly, have set forth, that at their own cost and charge they have erected large, great and commodious buildings, on Back creek, for a school, sufficient for the comfortable accommodation of eighty students, which has been already carried on, to the great improvement of the youth of this and the adjoining states; and to render it still more extensively useful, and fix it upon a foundation which may have greater stability, Preamble.

BE IT THEREFORE ENACTED, *by the General Assembly of Maryland*, That Messieurs Jacob Keer, William Gale, David Wilson, Samuel Wilson, John Winder, Henry Jackson, Thomas Maddux, William Polk, Isaac Henry, Henry Waggamon and William Strawbridge, are hereby appointed trustees of the said school, by the name of Trustees of the Washington Academy, and are empowered with full and sufficient authority for discharging the duty and trust reposed in them by this act; which persons, appointed, authorised and named aforesaid, or the major part of them, in case of the death or absence of any one, are hereby required, as soon as may be convenient, to meet at the academy aforesaid, within said county, and qualify themselves for the office of trustees, which they are to do, by taking the several oaths to government appointed by the constitution and laws of this state, and also taking the following oath, to wit: "I, A. B. do swear, that I will duly and faithfully discharge the trust committed to me, as trustee of the Washington academy, to the best of my skill and knowledge; so help me GOD;" which oaths are to be administered by one of the four persons last named to the person first named, or in his absence to any one of the three persons first named that shall be there present; the which person, being sworn as aforesaid, shall administer the oaths afore-mentioned to all the rest, and so successively, the person first named that shall be present shall always administer the said oaths to any that have been absent, or that shall hereafter be elected and chosen, pursuant to the directions of this act, to supply the place of any that shall be dead or removed out of the county, or of any who shall refuse or neglect to qualify and act as a trustee, when elected and chosen pursuant to the directions of this act; and the aforesaid persons, or major part of them, being sworn as aforesaid, shall be constituted and qualified as trustees of the Washington academy, and as such, they and their successors are hereby invested with full power and authority, as a body politic, to sue and be impleaded, to sue and be sued, to defend and be defended, to answer and be answered, by the name of The Trustees of the Washington Academy, in all and every cause, complaint and action, real, personal or mixt, of whatsoever kind or nature it shall be, in any of the courts of judicature within this state, and by that name they and any of them, and their successors, shall, and they are hereby enabled to take, hold, possess and enjoy, any gift, donation or present, which shall or may hereafter be given, devised or bequeathed, by any person or persons whatsoever, to them or any of them, for or toward the support or maintenance of the academy, or any gifts or devises of land, not exceeding in the whole fifteen hundred acres; and they, or any of them, may receive by way of subscription, any sum or sums of money, which shall or may be given, for the better and more speedy promoting the benefit and good by this act intended; and that they have full power, authority, lawful capacity and ability, to purchase, take, hold, receive, enjoy and have, to them and their successors Trustees appointed, &c.

CHAP. XV.

ceſſors for ever, any lands, tenements and hereditaments, of any perſon or perſons whatſoeve that the lands given, deviſed and purchaſed, for the uſe of the ſaid ſchool, ſhall not exceed i whole two thouſand acres; and that the ſaid perſons, ſo incorporated, the longeſt livers and ſu ſors of them, ſhall be the true, ſole, and undoubted truſtees, in perpetual ſucceſſion, for ever, continued in way and manner hereafter to be ſpecified, with full and abſolute power, liberty an thority, in the making and ordaining ſuch laws, orders and rules, for the better regulating and governing ſaid academy, as to them and their ſucceſſors ſhall from time to time ſeem moſt fi requiſite.

Proviſo.

III. PROVIDED ALWAYS, That the ſaid rules, laws and orders, be in no wiſe contrary to the ſtitution and laws of this ſtate.

How vacancies are to be filled.

IV. AND, to perpetuate the ſucceſſion of the aforeſaid numbers of truſtees for Waſhington ac my, BE IT ENACTED, That as often as any one or more of the ſaid truſtees ſhall die, or remove of the ſaid county, that then, and ſo often, the truſtees for the time being, then ſurviving an maining within the ſaid county, or the major part of them, be and are hereby authoriſed and requ to elect, nominate and chooſe, one or more into the place and room of the ſaid truſtee ſo dead o moved, and ſo to fill up the full number of truſtees for the ſaid academy; the which perſons, ſo e ed and choſen, from time to time, are always to be qualified in the ſame manner as before by thi is directed.

Truſtees to meet, &c.

V. AND BE IT ENACTED, That the ſaid truſtees, or the major part of them, ſhall, and they hereby directed and enjoined to meet at the academy aforeſaid, in the county aforeſaid, twice wit: On the firſt Monday in the month of May, and on the firſt Monday in the month of Novem annually, or oftener, if it ſhould by them be deemed neceſſary, to make and ordain, by a majorit votes, ſuch as ſhould be preſent, all ſuch good and wholeſome rules and by-laws, as they ſhall t convenient and neceſſary for the direction, government and ſupport, of the ſaid academy, all w rules and by-laws ſhall be from time to time inviolably obſerved by all perſons concerned, accor to the effect thereof.

CHAP. XVI.

Paſſed 30th of Dec. 1779.

An ACT to prohibit, for a limitted time, the exportation of wheat, flour, rye, Indian corn, r bread, beef, pork, bacon, live ſtock, peas, beans, oats, and other victual. Lib. TBH. No. fol. 21.

To continue till the end of the next ſeſſion. Continued by March, 1780, ch. 21, to the end of the next ſeſſion, and by 1780, ch. 17, to the 10th day of September then next. Expired.

CHAP. XVII.

An ACT for enlarging the powers of the governor and council. Lib. TBH. No. 1. fol. 26.

To continue till the end of the next ſeſſion. Further continued by March, 1780, ch. 21, June, 1780, ch. 9, October, ch. 12, and by May, 1781, ch. 29, for one year, &c. Expired.

CHAP. XVIII.

An ACT for the more effectual preventing foreſtalling and engroſſing, and for other purpoſes ther mentioned. Lib. TBH. No. 1. fol. 33.

To continue till the end of next ſeſſion. Expired.

CHAP. XIX.

An ACT to enable the juſtices of Frederick and Montgomery counties to aſſeſs a ſum of money ficient to defray the expences of the commiſſioners in dividing Frederick county. Lib. TB No. 1. fol. 41.

CHAP. XX.

An ACT to empower Thomas Harriſon to lay out anew and amen the ſtreets, lanes and alleys, of that part of Baltimore-town, com monly called the Marſhy Ground. Lib. TBH. No. 1. fol. 42.

Preamble.

WHEREAS Thomas Harriſon, of Baltimore-town, by his petition to this general aſſemb hath ſet forth, that he being ſeized and poſſeſſed of part of the land commonly called Marſhy Ground, adjoining the town of Baltimore, did, in virtue of the act, entitled, An act to move a nuiſance in Baltimore-town, in Baltimore county, and for other purpoſes therein mention obligate himſelf, agreeable to the directions of the ſaid act, to change the ſurface of the ſaid ma into firm and dry ground, in order to remove the nuiſance; that he hath, at a conſiderable expen

d with great labour and induſtry, happily accompliſhed the undertaking, by converting the ſaid ſh into firm ground; that certain commiſſioners were appointed by the ſaid act to lay out the d marſhy ground into ſtreets, lanes and alleys, and that the ſame, when ſo ſurveyed and laid out, uld be deemed and taken as part of Baltimore-town; that the commiſſioners nominated therein the ſame ſurveyed and laid out into ſtreets, lanes and alleys, as an addition to Baltimore-town; that the altering and laying out anew the ſaid ſtreets, lanes and alleys, and opening a canal lead- from Baltimore-ſtreet to the baſon, would render the adjacent lots more convenient, conduce much the advantage of that part of Baltimore-town, and be the means of effectually draining the ſaid ſh, without occaſioning any detriment to the public; and it appearing reaſonable to this general mbly that the prayer of the ſaid petition ſhould be complied with,

I. BE IT ENACTED, *by the General Aſſembly of Maryland*, That it ſhall and may be lawful for the Thomas Harriſon, and he is hereby empowered and required, with the approbation and conſent the commiſſioners of Baltimore-town, or a majority of them, to ſurvey the ſaid ground, and to r, amend, and lay out anew, the ſtreets, lanes and alleys thereof, and to open a canal from Bal- ore-ſtreet to that part of the north-weſt branch of the river Patapſco commonly called the Baſon. Streets to be laid out, &c.

II. BE IT FURTHER ENACTED, That the lots of ground, ſtreets, lanes and alleys, when ſo alter- amended, and laid out anew, according to the directions of this act, ſhall be, and they are here- declared to be, part of Baltimore-town aforeſaid, and ſhall have all the immunities, privileges advantages, the reſt of the ſaid town hath, or by former laws ought to have, as fully and amply the ſame had been originally included therein. To be part of Baltimore-town, &c.

V. PROVIDED ALWAYS, That the ſtreets, lanes and alleys, when altered, amended, and laid out w, in manner aforeſaid, and the canal ſo to be opened, ſhall not run through the ground of any r perſon whatſoever, without the conſent of ſuch perſon firſt obtained, any thing contained in to the contrary thereof notwithſtanding. Proviſo.

CHAP. XI.

ACT for the relief of Joſeph Cowman, of Anne-Arundel county. Lib. TBH. No. 1. fol. 44. Private Act. Paſſed 30th of Dec. 1779.

CHAP. XXII.

An ACT to empower the veſtry of Saint-Paul's pariſh, in Baltimore county, to exchange certain lands with Thomas Harriſon, for the uſe of ſaid pariſh, and for other purpoſes therein mentioned. Lib. TBH. No. 1. fol. 45.

WHEREAS the veſtry of Saint-Paul's pariſh, in Baltimore county, have, by their memorial to this general aſſembly, ſet forth, that part of the glebe-lands belonging to the ſaid pariſh ad- the lands of a certain Thomas Harriſon, who is willing to appropriate part of the ſaid lands to e a ſtreet through the ſaid glebe, to be called New-Church-ſtreet, which will be of great advan- to the ſaid glebe, in caſe the ſaid veſtry obtain leave from this general aſſembly to exchange h the ſaid Thomas Harriſon an adjacent piece of land, which is delineated and deſcribed on a thereto annexed by blue lines, in lieu thereof the ſaid Thomas Harriſon is willing to exchange the land comprehended within the lines of number twenty on the ſaid plot, delineated and de- bed for the purpoſe of the ſtreet aforeſaid; wherefore, Preamble.

II. BE IT ENACTED, *by the General Aſſembly of Maryland*, That the ſaid veſtry and their ſucceſſors and are hereby authoriſed and empowered to exchange the ſaid land, as is delineated and deſcribed hin the blue lines on the ſaid plot, to the ſaid Thomas Harriſon, his heirs and aſſigns, for ever, ieu whereof, the ſaid Thomas Harriſon ſhall grant and aſſign in exchange the ſaid land, delineated deſcribed on the ſaid plot within the lines of the number twenty, unto the ſaid veſtry and their ceſſors for ever, for the uſe and purpoſe of a ſtreet, to be called New-Church-ſtreet, which ſaid et, when ſo laid out, ſhall be under the direction of the commiſſioners of Baltimore-town, in the e manner as other ſtreets of the ſaid town. Veſtry to exchange land, &c.

III. AND, whereas it hath been repreſented to this general aſſembly, that there doth appertain the ſaid pariſh two lots of ground, known and diſtinguiſhed on the plot of ſaid town by the num- ſeventeen and eighteen, at this time unoccupied, which, if laid out into ſmall lots and leaſed, uld bring a conſiderable annual rent to the ſaid pariſh; BE IT ENACTED, That the veſtry of ſaid pariſh, And lay out lots, &c.

CHAP. XXII.

pariſh, and their ſucceſſors, be and are hereby authoriſed and empowered to lay out the lots nu ſeventeen and eighteen aforeſaid, into ſmall lots, and the ſame to grant, leaſe, demiſe and to let, unto any perſon or perſons willing and capable to take the ſame, or any or either of the may be moſt advantageous for the ſaid pariſh, and by deed indented, under the hands and ſeals o ſaid veſtry, and their ſucceſſors, and on ſuch conditions, covenants, proviſions, agreements, yearly rents, as the ſaid veſtry and their ſucceſſors, and the ſaid perſon or perſons who ſhall time to time be willing and deſirous to take the ſame, or any part thereof, for any term not ex ing ninety-nine years, or for ninety-nine years, with covenants of renewment from time to tim ever, after giving public notice in the Baltimore news-papers at leaſt four weeks previous to the

Rents to be collected, &c.

IV. AND BE IT FURTHER ENACTED, That all and every part of the annual rents of the ſaid g lands ſhall be for ever hereafter collected yearly and every year, by the ſaid veſtry, and their ſu ſors, and applied to the uſe and maintenance of a miniſter or reader of the ſaid pariſh church i town aforeſaid, and to no other uſe, intent or purpoſe whatſoever.

CHAP. XXIII.

Paſſed 30th of Dec. 1779.

An ACT for ſecuring the title of the proprietors of lots and hou in Charles-town, in Charles county. Lib. TBH. No. 1. fol.

Preamble.

WHEREAS it appears to this general aſſembly, that the original plot of Charles-town, monly called Port-Tobacco, in Charles county, has, by ſome evil minded perſon, in a ſe and fraudulent manner, been cut out of the records of ſaid county, and thirty-ſeven of the lot like manner, have been torn from one end of the ſaid plot, whereby the ſaid proprietors canno certain the extent and limits of their lots in ſaid town; for remedy whereof,

Commiſſioners appointed, &c.

II. BE IT ENACTED, *by the General Aſſembly of Maryland*, That Meſſieurs Richard Barnes, T philus Hanſon and Joſias Hawkins, be and are hereby appointed commiſſioners, who ſhall, on o fore the fifteenth day of March next, meet at Charles-town aforeſaid, and having ſo met, the Richard Barnes, Theophilus Hanſon and Joſias Hawkins, or any two of them, ſhall have full ample power and authority to direct the ſurveyor of Charles county for the time being to ſurvey make out a new and exact plot of the ſaid town, and ſhall aſcertain and limit the extent of the and ſtreets thereof, according to the beſt evidence that can be obtained.

Who may iſſue ſummonſes, &c.

III. AND BE IT ENACTED, That the ſaid commiſſioners, or any two of them, are hereby thoriſed and required, having firſt given ten days notice of the time and place of their meeting iſſue ſummonſes for all ſuch perſons as may be applied for by any of the proprietors aforeſaid, are hereby required to attend, under the penalty of fifty pounds current money for every negle refuſal, and to examine them upon oath touching and concerning their knowledge of the bou limits or extent of any of the lots or ſtreets of the ſaid town, and to eſtabliſh the ſame according

Plot to be put on record, &c.

IV. AND BE IT ENACTED, That the ſaid commiſſioners, or any two of them, ſhall cauſe the plot, when finiſhed, to be put on the records of Charles county, and the ſame ſhall be there conſidered, deemed and taken to be, the true plot of Charles-town aforeſaid, and the proprieto lots and houſes in ſaid town ſhall be veſted with as good, ſure and indefeaſible eſtate of inherit in fee-ſimple, of, in and to their ſeveral and reſpective lots and houſes, laid down in the ma herein directed, as if the original plot had never been torn and defaced.

CHAP. XXIV.

An ACT relating to the eſtates of deceaſed perſons. Lib. TB No. 1. fol. 48.

Gold, &c. not to be appraiſed, &c.

BE IT ENACTED, *by the General Aſſembly of Maryland*, That where any gold or ſilver, in coi plate, ſhall belong to the eſtate of any deceaſed perſon, the ſame ſhall not be appraiſed, but be returned in the inventory, and the weight of the plate and the ſpecies of the coin particu mentioned.

Executors, &c. anſwerable, &c.

II. AND, whereas doubts have ariſen about the extent of the juriſdiction of the orphans c and great injuſtice may be done to widows and orphans, for want of proper powers in thoſe co BE IT ENACTED, That the ſeveral orphans courts throughout this ſtate, in all caſes where the e of deceaſed perſons is in debt, may direct a ſale of the whole perſonal eſtate, or ſuch part t of as may be ſufficient to pay debts, and in all caſes of diſtribution, they may direct a ſale of

g

s and chattels of the deceaſed, or a diſtribution in ſpecie, at the election of the parties con-ed, if they or their guardians ſhall deſire the ſame, and if no election be made, or the parties erned in intereſt differ in opinion, then in all ſuch caſes the ſaid juſtices may direct a ſale of whole or a part of ſuch perſonal eſtate, or a diſtribution in ſpecie, at their diſcretion; and in all s of diſtribution in ſpecie, there ſhall be a re-appraiſement, wherein regard ſhall be had to the aſcertained by the firſt appraiſement, and all the perſonal eſtate (gold or ſilver coin included) reby ſubjected to ſuch diſtribution in kind, any law or cuſtom to the contrary notwithſtanding.

II. AND, whereas it is repreſented to this general aſſembly, that in many inſtances the perſonal ts of deceaſed perſons have been appraiſed in current money, and afterwards ſold by the execu- or adminiſtrator at the current prices, whereby creditors and orphans have been defrauded; BE ACTED, That where any perſonal eſtate has been appraiſed ſince the firſt day of March, ſeven- Executor, &c. anſwerable, &c.
hundred and ſeventy-ſeven, in current money, or where any eſtate was appraiſed before that , and diſtribution thereof has not yet been made, and in all eſtates hereafter to be appraiſed as ſaid, if any part of ſuch eſtates have been or ſhall be ſold, the executor or adminiſtrator ſhall nſwerable for the amount of the ſales, and accountable therefor to the creditors or legal repre- tive of their teſtator or inteſtate; and if hereafter any part of the perſonal eſtate of any de- d perſon ſhall be ſold, the executor or adminiſtrator ſhall be anſwerable and accountable as ſaid for the amount of the ſales.

ee 1798, 101, ch. 8, ſection 3, 4 and 5, reſpecting a ſale of the perſonal eſtate under the direction of the orphans court.

V. AND, whereas it may happen that the chancellor is or may be intereſted in caſes where bills ancery may properly lie: And whereas the perſon appointed chancellor may have been concern- council in cauſes depending in the chancery court, BE IT ENACTED, That in ſuch caſes ap- Application may be made to the general court, &c.
ion may be made by bill or petition to the general court, who may hear and determine ſuch , and an appeal may lie in ſuch caſes from the decree of the general court to the court of ap- , who may hear and determine in the ſame manner as on appeal from the chancery court.

V. AND BE IT ENACTED, That if any perſon ſhall hereafter depart this life, leaving an eſtate Perſons may direct their eſtates not to be appraiſed, &c.
than ſufficient to pay all his debts, ſuch perſon may ſettle his or her eſtate by will, and may that the ſame ſhall not be appraiſed, and in ſuch caſe, if the executor will give bond in ſuffi- ſecurity, to pay all debts due from his teſtator, to pay and ſatisfy all legacies contained and ed in the will of his teſtator, as far as the goods, chattels and credits, of his teſtator will unto extend, and well and truly to perform and fulfil the will of the deceaſed, he ſhall not be d to have ſuch eſtate inventoried and appraiſed.

A proviſion is made on this ſubject by 1798, 101, ch. 14, ſection 6 and 7.

I. This act to continue for three years, and until the end of the next ſeſſion of aſſembly which Duration.
happen after the expiration of the ſaid three years.

ontinued for three years, &c. by November, 1782, ch 32, for ſeven years, &c. by 1785, ch. 77, by November, 1792, ch. 77, oth October, 1793, &c. by 1793, ch. 74, to 30th October, 1794, &c. by 1794, ch. 71, to 30th January, 1798. Expired. vived and continued (where not altered by other acts) by 1798, ch 10, to the end of the ſeſſion, and all acts done under confirmed, and by 1798, ch. 71, continued to 30th October, 1805.

CHAP. XXV.

AN ACT for the regulation of officers fees. Lib. TBH. No. 1. fol. 50.

Paſſed 30th of Dec. 1779.

WHEREAS officers fees can be rated, regulated and eſtabliſhed, by act of aſſembly only, and Preamble.
is ſuch an act is now expedient and neceſſary;

I. BE IT ENACTED, *by the General Aſſembly of Maryland*, That no officer or officers hereafter men- Officers not to take greater fees than limitted, &c.
ed in this preſent act, their miniſters, ſervants or deputies, by reaſon or colour of his or their or offices, ſhall have, receive or take, of any perſon or perſons, directly or indirectly, any or greater fees, which ſhall ariſe or become due after the commencement of this act, than are after limitted and allowed to the ſeveral officers herein mentioned, under the penalty of fifty ds current money for every offence; that is to ſay,

To the REGISTER in CHANCERY.

Fees to the regiſter in chancery.

	lb. Tob.		lb. Tob.
Subpœna ad reſpondendum, with not more than three names, and return,	12	An attachment of contempt, and return,	8
If name more than three,	2	A proclamation of rebellion, and return,	64
		A commiſſion of rebellion, and return,	64

CHAP. XXV.

	lb. Tob.
An injunction, and return,	38
A writ of ſequeſtration, and return, per ſide, and ſo *pro rato*,	8
An *audita querela*, and return,	86
Filing every bill in chancery,	20
Every court the ſame ſhall continue, to be charged to the complainant only,	20
Filing every anſwer in chancery,	17
Every oath to the ſame, if taken in court,	6
Recording every return of commiſſion and depoſition, per ſide, and ſo *pro rato*,	8
A writ of *ad quod damnum*, and return, per ſide, and ſo *pro rato*,	8
Every order on motion,	12
A *ne exeat*, and return,	64
Drawing any matter or thing not mentioned, that paſſeth the ſeal, if it exceeds one ſide, computing ſeven words to a line, and fifteen lines to a ſide, and ſo *pro rato*,	8
For recording the ſame, per ſide, as before,	8
Search, the firſt year, nothing.	
For all ſearches above one year, if the matter ſearched be found and no copy taken, if copy taken no charge for the ſearch,	15
For filing every plea in chancery, if not recorded,	4
For filing every demurrer in chancery, if not recorded,	4
For recording the ſame, per ſide, and ſo *pro rato*,	4
Filing accounts, books of accounts, bonds, deeds, or other papers or writings, referred to and made part of any bill in chancery, plea, anſwer, or other pleadings or proceſs thereupon, if not recorded,	
For recording the ſame, per ſide, and ſo *pro rato*,	
Filing every return of commiſſion and depoſition, if not recorded,	
For recording the ſame, per ſide, and ſo *pro rato*,	
Filing every depoſition taken in court of chancery without commiſſion, if not recorded,	
For recording the ſame, per ſide, and ſo *pro rato*,	
Filing every petition in chancery, and order thereon, if not recorded,	
For recording the ſame, per ſide, and ſo *pro rato*,	
Filing every bond, with or without ſecurity, if not recorded,	
For recording the ſame, per ſide, and ſo *pro rato*,	
For every *ſubpœna*, with not more than three names, and return,	
For every name more than three,	
A commiſſion to examine evidences, per ſide and ſo *pro rato*,	
For copy of any matter or thing herein before mentioned, if required and delivered per ſide, and ſo *pro rato*,	

To the clerk of the general court.

To the CLERK of the GENERAL COURT on the Weſtern and Eaſtern S reſpectively.

A *recordari*, and return,	6
A writ of inquiry of damages, and return, per ſide, and ſo *pro rato*,	8
For entering an appeal,	8
A commiſſion to take acknowledgments, and return,	64
A writ of covenant to paſs a fine, and return,	8
A writ of aſſize, and return,	51
A writ of *melius inquirendum* or *monſtraverunt*, and return,	64
Any warrant or licence,	8
Any other paſs or diſcharge,	8
Writing a ſheriff's commiſſion, bond and recording it,	150
For filing every ſpecial plea, and every other pleading to making up the iſſue for each, if not recorded,	4
For recording the ſame, per ſide, and ſo *pro rato*,	4
For filing every account, if not recorded,	4
For recording the ſame, per ſide, and ſo *pro rato*,	4
For filing plots or warrant of ſurvey out of the general court, and depoſitions, if not recorded,	4
For recording depoſitions, per ſide, and ſo *pro rato*,	4
A writ of *poſſe comitatus*, and return,	
A writ of diſcharge, if any, and return,	
Writing and recording a commiſſion for every county court,	
Iſſuing and filing every common writ, and return,	
Filing every declaration, if not recorded,	
For recording the ſame, per ſide, and ſo *pro rato*,	
Every appearance entered of either party in the general court,	
Entry of defendant's imparlance,	
A continuance or reference, to be charged to the plaintiff only,	
Making up the iſſue or iſſues in every ſuit when done by the clerk,	
Rule to plead for trial, when ordered by the court,	
A *venire facias* for jurors, if iſſued by the order of the court,	
A copy of the pannel,	
Entering pannel,	
Entering every verdict,	
Entering and ſigning judgment,	
A ſhort copy of the judgment, if demanded	
A tranſcript of the whole proceedings, per ſide, and ſo *pro rato*,	

	lb. Tob.
ing and filing bill of coſt,	8
opy thereof, if demanded, with the arti-	
es at large,	8
g every execution, and filing the ſame,	
l return, without any charge for copy	
judgment,	14
re facias poſſeſſionem, and return,	16
eplevin, and return,	12
ndo, and return,	16
it of reſtitution, and return,	16
ing *dedimus poteſtatem* to examine evi-	
nces,	32
beas corpus, and return,	22
digit, and return,	22
arrant of ſurvey, and return,	32
rtiorari, and return,	32
miſſion of *audita*, and return,	32
rit of diminution, and return,	16
rit of error to the county court, and	
turn,	38
re facias thereupon, and return,	16
perſedeas thereupon, and return,	16
ring an acknowledgment of deed of	
veyance in court,	6
rding a conveyance, per ſide, and ſo	
rato,	8
g every recognizance taken out of court,	
not recorded,	4
rding the ſame, per ſide, and ſo *pro rato*,	4
g every recognizance in court, with or	
thout ſureties,	4
arance of the principal to every recog-	
nce,	8
ling or taking every ſpecial bail, in or	
of court,	8
ttachment with *ſcire facias*, and return,	26
harging every recognizance with or with-	
ſecurity,	12
py of every recognizance,	12
y proceſs to apprehend a criminal, if-	
d by order of court, and return,	16
arance of the perſon charged to every	
dictment or verdict,	8
y reſpite and continuance,	14
y order in criminal caſes,	8
y indictment, per ſide, and ſo *pro rato*,	8
py of every indictment, per ſide, and ſo	
rato,	8
g plea to the ſame,	8
rding the ſame, per ſide, and ſo *pro*	
to,	8
ſſion to every indictment,	8
y indictment after the firſt name,	10
nce of a writ of error,	10
of trial,	8
rding the verdict,	4
ing conviction and ſigning judgment,	25
y death warrant,	36
rit of withernam, and return,	25
rit of eſtrepement, and return,	25

	lb. Tob.
Scire facias on a judgment, per ſide, and ſo *pro rato*, without any charge for ſearch or copy of judgment,	8
Scire facias againſt ſpecial bail, per ſide, and ſo *pro rato*, without any charge for ſearch or copy of judgment,	8
Scire facias againſt ſecurity for coſt on a recognizance, per ſide, and ſo *pro rato*, and return, without any charge for ſearch or other matter,	8
Swearing every jury,	46
Swearing every bailiff,	4
Every oath taken in court,	4
Duces tecum, and return, per ſide, as before,	8
Affixing the ſeal of the court to the copy of any judgment, or a tranſcript of any judgement, or any record or certificate,	12
Taking ſecurity on condemnation on attachment,	6
Awrit of reſtitution, per ſide, and ſo *pro rato*,	8
Entering action agreed, ſtruck off, or abated,	2
A *ſcire facias* on a *certiorari*, per ſide, and ſo *pro rato*,	8
A *ſcire facias* on *audita querela*, per ſide, and ſo *pro rato*,	8
Commiſſion to examine evidences, per ſide, and ſo *pro rato*,	8
An attachment on non-compliance with the common rule in ejectment, per ſide, and ſo *pro rato*,	8
A general court commiſſion, per ſide, and ſo *pro rato*,	8
A ſummons in partition, per ſide, and return, and ſo *pro rato*,	8
A writ of partition, and return, per ſide, and ſo *pro rato*,	8
An attachment in partition, and return, per ſide, and ſo *pro rato*,	8
An *habere facias ſeiſinam*, and return, per ſide, and ſo *pro rato*,	8
A *retorno habendo*, and return, per ſide, and ſo *pro rato*,	8
A writ of *diſtringas*, and return, per ſide, and ſo *pro rato*,	8
A commiſſion of oyer and terminer, per ſide, and ſo *pro rato*,	8
A commiſſion of gaol delivery, per ſide, and ſo *pro rato*,	8
A *dedimus poteſtatem* to ſwear the judges of aſſize or ſheriff, per ſide, and ſo *pro rato*,	8
A writ of publication to the laws,	12
Search, the firſt year, nothing.	
For all ſearches above one year, if the matter ſearched for be found,	14
For recording or copying any matter or thing in this table enumerated, for which no other allowance hath been already made, and not prohibited to be recorded, per ſide, and ſo *pro rato*,	8

CHAP. XXV.

lb. Tob.

For iſſuing commiſſion to truſtees under the act for regulating attachments, per ſide, and ſo *pro rato*, 8
Filing ſame, and the return and proceedings of the truſtees, 8
Attachment of contempt, per ſide, 8
Writ of dower, per ſide, 8
Summons in dower, 8
For entering admiſſion of guardian or next friend, 8
For entering commitment, 8
For entering ſuggeſtion of death, 4
For filing warrant of attorney, 4
Entering award of execution, 8
Filing bail piece, 4
Appearance and ſurrender in diſcharge bail,
Filing every affidavit,
Entering every default on recognizance,
Entering liſt of common law fines, per ſide and ſo *pro rato*,
For copy thereof per ſide, and ſo *pro rato*,
For entering ſecurity for coſts,
Copy of orders for witneſſes attendance,
For entering amerciament on ſheriff or coroner on meſne proceſs,
Filing award,
For recording the ſame, per ſide, and ſo *pro rat*
Filing *ſuperſedeas*,
Subpœna ad juſtificandum,

To the regiſter of the land-office.

To the REGISTER of the LAND-OFFICE on the weſtern and eaſtern ſho reſpectively.

For a common warrant and entry, 33
For renewing the ſame, and entry, whether in or out of date, 33
For recording certificate, per ſide, computing one hundred and five words to a ſide, and ſo *pro rato*, 8
For making out a grant, 90
For recording the ſame, 67
For ſpecial warrant on the proclamation of eſcheat or reſurvey, including petition and order thereon, 250
For ſearching for any matter or thing, firſt year, nothing.
If the matter ſearched for be found, 14
For a ſpecial warrant for vacant cultivatio including petition and order thereon,
For renewing every ſpecial warrant, whethe in or out of date,
Entering every *caveat* and order,
For every deed or aſſignment,
For drawing a petition at the requeſt of th party,
For all copies, per ſide, as before,
For filing every paper at the requeſt of th party,
For entering every application for warrant
For copy thereof, per ſide, and ſo *pro rato*,
For every ſeal,

To the notary.

To the PUBLIC NOTARY.

For drawing a proteſt, and recording it, if not a ſpecial one, 102
For drawing every ſpecial proteſt, per ſide, and ſo *pro rato*, 8
For drawing any other matter or thing atteſ ed under ſeal, per ſide, and ſo *pro rato*,
Recording any matter or thing, per ſide, an ſo *pro rato*;

To the naval-officers.

To the NAVAL-OFFICERS. (a)

For entering every veſſel above one hundred tuns, 54
For clearing every veſſel above one hundred tuns, 54
For entering every veſſel above fifty tuns and under a hundred tuns, 40
For clearing every veſſel above fifty tuns and under a hundred tuns, 40
For entering every veſſel under fifty tuns, 27
For clearing every veſſel under fifty tuns,
For entering any veſſel from, or clearing an veſſel to, Virginia,
For a certificate of goods imported,
For every bond taken in the office,
For every oath,
For recording every regiſter,
For every certificate,

(a) The naval-officers are now under the direction of, and are paid by, the general government.

To be paid on ſervice done.

III. AND BE IT ENACTED, That the above fees to the notary public and naval-officers be p the time of the ſervice done.

Fees to the regiſter of wills.

To the REGISTER of WILLS. (b)

For every probat of will, where no controverſy or letters granted, including demand and all oaths neceſſary thereto, 40
For granting letters of adminiſtration, ſwearing the adminiſtrators, taking bond, iſſuing warrant to appraiſers, and warrant to ſwea them, or for probat of any will, grantin letters teſtamentary, (if required,) takin bond, iſſuing warrant to appraiſers to ſwea them,

(b) By 1797, ch. 76, the fees of the regiſters of wills are eſtabliſhed in dollars and cents, and no others are to be rece der the penalty of one hundred and fifty dollars.

	lb. Tob.
...tatem to take anſwer, per ſide,	
...ſo *pro rato*,	4
recording wills, inventories, accounts,	
copying the ſame, per ſide, computing	
...en words to the line, and fifteen lines	
...a ſide, and ſo *pro rato*,	4
...ing and filing coſts,	4
...coſts, if demanded and delivered,	4
drawing definitive ſentence on plenary	
...ceedings, and recording the ſame, per	
..., and ſo *pro rato*,	4
...it of execution on definitive ſentence,	
...r ſide, and ſo *pro rato*,	4
...to definitive ſentence, if required,	14
...to a writ of execution of definitive ſen-	
...ce,	14
...of every libel, anſwer, replication, or	
...ſurrejoinder, per ſide, if demanded,	4
...ring depoſition of witneſſes, per ſide, and	
...*pro rato*,	4
...interrogatories, per ſide, and ſo *pro rato*,	2
...common citation, per ſide, and ſo *pro*	
...,	
...ſpecial citation, per ſide, and ſo *pro*	
...,	
...attachment,	14
...chment on decree, per ſide, and ſo *pro*	
...,	
...*na* for coſts,	4
...appearance of the party,	10
...ring of every return of proceſs,	4
...eſt, nothing.	
...continuance or reference, to be charged	
...the libellant only,	4
...ſearch of the record, the firſt year	
...thing.	
...every ſearch afterwards, be the time of	
...at length ſoever, if the matter ſearched	
...be found,	10
...plification of letters teſtamentary or ad-	
...miniſtration under ſeal,	40
...miſſion or proclamation of rebellion,	40
...miſſion to examine evidences, and com-	
...ſion to auditors,	27
...*facias*,	27

To the CLERKS of the COUNTY COURTS.

	lb. Tob.
...every common writ, and return,	10
...every declaration, if not recorded,	2
...py of the ſame, if demanded, per ſide,	
...ſo *pro rato*,	4
...appearance entered of either party,	4
...of imparlance,	2
...every continuance or reference, to be	
...arged to the plaintiff only,	3
...*ſubpœna*, including all perſons applied	
...at the ſame time,	6
...to plead, or trial moved for and en-	
...ed,	2
...making up the iſſue or iſſues in every ſuit	
...en done by the clerk,	6
Duces tecum,	14
Entering every motion in ſuits depending in court, and order thereon,	4
If above one ſide, after the rate per ſide, and ſo *pro rato*,	4
Entering prayer for appeal,	5
Filing every libel, anſwer, replication, petition, or exhibits, where not recorded, for each,	2
For recording or copying any matter or thing not herein enumerated, if requeſted by the party, per ſide, and ſo *pro rato*,	4
Writ of ſequeſtration, and return, per ſide, and ſo *pro rato*,	8
Filing every matter, if not recorded,	2
For entering and taking executors renunciation,	4
For entering widow's renunciation,	4
For every oath,	2
For every certificate,	4
For making out and filing the balance and diſtribution of a deceaſed perſon's eſtate,	27
For taking bond for ſecurity of ſaid balance,	18
For filing the ſame,	2
Recording the ſame, per ſide, and ſo *pro rato*,	4
For entering choice or appointment of guardian and approbation, with ſureties,	4
For taking guardians bonds,	18
For filing the ſame,	2
Recording the ſame, per ſide, and ſo *pro rato*,	4
For taking recognizance for apprentice bound in court,	18
For warrant to ſheriff to ſummon jury,	4
For filing pannel of jury,	2
Copy of the ſame,	4
Filing every preſentment, and entering order thereon,	6
For *ſcire facias* againſt executors or adminiſtrators for coſts,	18
For every ſeal,	9
For taking an appeal bond,	18
For filing the ſame,	2
Recording ſame, per ſide, and ſo *pro rato*,	4
For ſtating and paſſing every account,	36
For every voucher,	2

To the clerks of the county courts.

	lb. Tob.
Entering and ſigning judgment,	15
A *venire facias* for jurors, if iſſued by order of court,	6
Entering the pannel,	2
Copy pannel,	2
Taxing and filing bill of coſt,	5
Copy thereof if demanded, with the articles at large,	5
Iſſuing every execution, and filing the ſame, without any charge for copying judgment,	10
For filing every ſpecial bail taken in or out of court,	2
A writ of inquiry of damages, per ſide, and ſo *pro rato*,	4

For

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	lb. Tob.
For entering an appeal,	4
A return of a *certiorari* or *habeas corpus*, and copy of the record, per ſide, and ſo *pro rato*,	4
Entering a writ of error,	4
Every oath taken in court,	3
Proving a deed or writing,	4
A copy of the ſame, if required, per ſide, and ſo *pro rato*,	4
For entering *fieri facias*, where the ſame is executed and ſchedule returned, but in no other caſe, per ſide, and ſo *pro rato*,	4
The ſame fee in *elegits*,	4
Recording the mark of cattle or hogs,	3
Taking and certifying acknowledgments of land in court,	5
Recording a conveyance of land, per ſide, and ſo *pro rato*,	4
Allowance of *habeas corpus*,	4
For all ſearches the firſt year nothing.	
For all ſearches above one year, be the time of what length ſoever, if the matter ſearched for be found,	10
If copy taken, then per ſide, and ſo *pro rato*,	4
Every *ſcire facias*, per ſide, and ſo *pro rato*, without any charge for ſearch or copy of judgment,	4
Attachment and *ſcire facias*,	18
Short copy judgment, if expreſsly demanded,	10
Habeas corpus, and filing the ſame and return,	8
Elegit, and filing the ſame, and return,	8
Duces tecum, and return,	40
Taking ſecurity on condemnation,	
Entering action agreed, diſcontinued, ſtruck off, or abated,	
Commiſſion to examine evidences and return, per ſide, and ſo *pro rato*,	
A continuance or reference, to be charged to the plaintiff only,	
For filing every ſpecial plea,	
If recorded, per ſide, and ſo *pro rato*,	
For filing every replication,	
If recorded, per ſide, and ſo *pro rato*,	
For filing rejoinder, ſurrejoinder,	
If recorded, per ſide, and ſo *pro rato*,	
And for every other pleading for making up the iſſue, for each,	
If recorded, per ſide, and ſo *pro rato*,	
For filing demurrer and joinder in demurrer each,	
If recorded, per ſide, and ſo *pro rato*,	
For filing every account,	
If recorded, per ſide, and ſo *pro rato*,	
For recording or copying any matter or thing not herein enumerated, if requeſted by the party, for which no other allowance hath been already made, per ſide, and ſo *pro rato*,	
For entering return of every writ or other proceſs,	
For filing every paper not herein before mentioned,	
For every rule by order of court,	

Criminal fees.

CRIMINAL FEES.

Filing every recognizance taken out of court, if not recorded,	2
For taking every recognizance, with or without ſureties, in court,	3
Appearances of the principal to every recognizance,	5
Diſcharging of recognizance, with or without ſecurity,	8
Every proceſs to apprehend a criminal, iſſued by order of court,	10
Every appearance of the perſon charged to every preſentment or indictment,	5
Every reſpite and continuance,	5
For every order,	4
A copy of recognizance with or without ſecurity,	8
For filing every indictment or information,	5
For recording the ſame, per ſide, and ſo *pro rato*,	
A copy of the pannel,	
For recording the verdict,	
Entering and ſigning judgment,	
A copy of the indictment, per ſide, and ſo *pro rato*,	
Entering a plea,	
Confeſſion of indictment,	
For recording or copying any matter or thing not herein enumerated, if requeſted by the party, for which no other allowance hath been already made, per ſide, and ſo *pro rato*,	
For copy of every matter not herein before enumerated, per ſide, and ſo *pro rato*,	
For entering the pannel,	
For iſſuing every warrant of execution,	

By November, 1787, ch. 34, there ſhall be a deduction of one fourth part from all officers fees allowed by this act, w chargeable by law to the ſtate, or any county, except ſheriffs fees for the impriſonment of perſons criminally charged.

Chancery proceedings in county courts.

CHANCERY PROCEEDINGS in COUNTY COURTS.

Entering motion and order thereon,	4
Entering and ſigning decree,	15
Taxing and filing coſts,	5
Copy coſts, with articles at large, if demanded,	5
Affixing the ſeal to any tranſcript or certificate,	
Filing every bill,	
Filing every anſwer,	
Filing every plea,	

	lb. Tob.
...g every demurrer,	2
...accounts, book of accounts, bonds, ...ds, or other papers or writings, re... ...red to or made part of any bill in chan..., answer, or other pleadings or pro... ...thereupon, for each,	2
...every return of commiſſion and depo... ...ions,	2
...miſſion to examine witneſſes, per ſide, ...d ſo *pro rato*,	4
...every return of commiſſion and depo... ...ions,	2

To the SHERIFF.

	lb. Tob.
...ing writ, and return,	27
...g bail bond,	14
...ting officers fees, for every hundred ſix ...cent.	
...very commitment and releaſement,	16
...annelling a jury,	90
...ing *ſcire facias*, including the perſons ...mmoned,	23
...g citation,	23
...ting a warrant of reſurvey, per day,	75
...oning evidences to prove the bounds of ..., for each perſon ſummoned,	23
...powered to ſwear evidences, for every ...neſs ſworn by him,	10
...g a *ſubpœna*, and return,	23
...keeping a priſoner in gaol and finding ...victuals, per day,	12
...g a writ of poſſeſſion in ejectment, and ...rn,	112
... of ſeiſin on a common recovery, and ...rn,	10
...g an ejectment, and return,	51
...election for one or more members,	1000
...g an attachment of contempt, and re...	38
...g writ of eſtrepement, and return,	75
...g *ne exeat*, and return,	200
...g a copy of declaration or ſhort note,	4
...oning appraiſers to value goods taken ...attachment, *fieri facias*, or replevin, for ...h appraiſer ſummoned,	23
...ing the ſaid appraiſers, every oath,	10
...g an attachment on judgment or exe... ...on, and return,	8
...ting a writ of *ad quod damnum* or *melius ...rendum*, and return, per day,	75
...annelling a jury on the ſame,	180
...ing the ſaid jury, for every oath,	10
...g an inquiſition, and returning the ...e with the ſaid writ,	75
...g a writ of re-reſtitution, and return,	112
...nelling a jury to inquire of a forcible ...y and detainer,	180
Filing every depoſition, if taken in court, and without commiſſions,	2
Filing every petition and order thereon,	2
Entering every appearance,	3
Filing every bond, with or without ſecurity,	2
For recording or copying any matter or thing not herein enumerated, if requeſted by the party, and for which no other allowance hath been made, per ſide, and ſo *pro rato*,	4

Fees to the ſheriff.

	lb. Tob.
For each perſon ſummoned as an evidence on the ſame,	23
For ſummoning chain-carriers, each, if required,	23
For ſwearing chain-carriers, every oath,	10
For an arreſt on a warrant, and return, in criminal caſes,	18
For ſerving *duces tecum*, and return,	18
Return on an attachment, when meſne proceſs,	8
For laying an attachment in any garniſhee's hands, for each garniſhee,	23
For all goods and chattels which any ſheriff ſhall attach and take into his poſſeſſion, or wherewith he ſhall be chargeable, the ſame fees as on executions.	
Returning *fieri facias* or replevin, each	8
The ſame fees on a *fieri facias* or replevin as upon attachments.	
Alſo the ſame fees on appraiſement and ſale of goods diſtrained and ſold for rent.	
Serving writ *retorno habendo*, and return,	75
Serving writ of *diſtringas*, and return,	75
Serving and return of *elegit* or *liberate*,	75
Empannelling jury on *elegit* or extent,	180
For ſwearing the ſame, each	10
Serving writ of reſtitution, and return,	112
Summons in partition, for every perſon ſummoned, and return,	23
Serving writ of partition, and return,	26
Empannelling jury thereon,	180
Swearing the jury, each	10
Attendances, per day,	75
Serving an attachment in partition, and return,	90
Returning writ inquiry of damages,	75
Empannelling jury thereon,	180
Swearing the ſame, each	10
Attendance, per day,	75
Proclamation of rebellion, and return,	90
Serving withernam, and return,	75
And the ſame fees allowed as upon replevins.	

And, whereas it often happens that ſmall ſums only are remaining due upon judgments given ...ge ſums and penalties, and nevertheleſs in theſe caſes, upon executing of writs of *capias ad ſa...dum*, the ſheriff demands and takes for his fees poundage for the whole money for which ſuch judgments

CHAP. XXV.

Poundage not to be demanded, &c.

judgments are entered; for remedying of which grievance and inconvenience, BE IT ENACTED, where any writ of *capias ad ſatisfaciendum* ſhall iſſue, poundage ſhall in no caſe be demanded or upon execution of ſuch writ of *capias ad ſatisfaciendum*, or upon charging any perſon in executi virtue of ſuch writ, for any greater ſum than the real debt *bonâ fide* due and claimed by the pl amounts to, which ſum the clerk or the plaintiff, his agent or attorney, ſhall and are hereby o to make and ſpecify on the back of ſuch writ, together with a memorandum or note in caſe of ty, that the growing intereſt is claimed till payment; and no ſheriff, under ſheriff, or bailiff, ſh obliged to execute ſuch writ before ſuch endorſement.

Sheriff's charge on execution, &c.

V. AND BE IT ENACTED, That on the ſervice of any execution for money or tobacco, the for the ſervice of the ſame, ſhall charge and receive on the ſame at the rate of *ten per cent.* f firſt *five* pounds in money, or *ſix* hundred pounds of tobacco, and the rate of *five per cent.* for t ſidue, in the ſame ſpecie the execution ſhall iſſue for, to be endorſed as aforeſaid; and that no ſhall be chargeable, in any action of eſcape, for more than the ſum of money or tobacco reall or endorſed to be received on the execution in diſcharge thereof.

By 1790, ch. 59, ſection 2, the ſheriff is allowed, (inſtead of the poundage fees under this act,) to receive at the rate and an half *per cent.* for the firſt ten pounds in money, or one thouſand pounds of tobacco, and three *per cent.* for the re the ſame ſpecies the execution ſhall iſſue for. On execution or attachment on lands held for years, or a greater eſtate, half the poundage fees, and if the eſtate in land ſhall not be chargeable by appraiſement, and delivered to the plaintiff, o of the ſheriff, one quarter part of the poundage fees only ſhall be chargeable.

Fees to the ſurveyor.

To the SURVEYOR.

	lb. Tob.
For the ſurvey of one hundred acres of land or under, per acre,	1
Any quantity above one hundred acres and under two hundred,	½
If between two hundred acres and five hundred acres, then for the firſt two hundred as before, and for all above two hundred acres,	¼
Five hundred acres, as before, and for all above, per hundred,	8
For every plot, allowing three plots for every ſurvey; that is to ſay, one to the party, one to the examiner-general, and the other to be entered with the certificate on the ſurveyor's book, for the firſt hundred acres or under,	8
For all above the firſt hundred acres, per hundred,	4
For a journey fee, if the land be diſtant from the houſe of the ſurveyor or twenty miles or under, and if more, ſix-pence per mile,	30
For every certificate of ſurvey or reſurvey, per ſide, and ſo *pro rato*,	4
For the reſurvey of one hundred and forty acres of land or under, made with a circumferentor or theodolite, chain, and othe neceſſary inſtruments, whether made up one or more tracts, correcting and amen ing the original ſurvey or ſurveys, an adding contiguous vacancy thereto, for th reſurvey whereof a warrant is or ſhall b iſſued out of the land-office,	
For the reſurvey of any quantity of land abov one hundred and forty acres, as aforeſai whether made up of one or more tracts, u der warrants as aforeſaid, then for the ſa quantity of one hundred and forty acr the ſaid ſum of	
And for the reſidue, the ſame fees as allowe upon primitive ſurveys.	
For running the lines of each tract on wa rant of ſurvey out of the general or coun court, the ſame fees as on primitive ſu veys.	
For plotting on ſuch ſurveys, each tract land of one hundred acres or under,	
For all above the firſt hundred acres, p hundred,	
For the explanation or certificate to ſu plots, per ſide, and ſo *pro rato*,	

To the regiſter of the admiralty court.

To the REGISTER of the ADMIRALTY COURT.

For every writ under ſeal, per ſide, and ſo *pro rato*,	8
Taxing and filing bill of coſt,	10
For copy bill of coſt, if demanded,	10
For entering and ſigning decree or judgment,	30
For ſwearing every evidence in court,	4
For iſſue and rule,	26
For drawing every depoſition, per ſide, and ſo *pro rato*,	8
For filing every libel,	4
For filing every anſwer,	
For filing every plea,	
For filing every demurrer,	
Filing every petition and order thereon,	
Filing accounts, book of accounts, or oth papers or writings, referred to and ma part of any libel, anſwer, or other ple ings or proceſs thereupon, for each	
Filing every return of commiſſion and depo tions,	

	lb. Tob.
g every depoſition, if taken in court ithout commiſſion,	4
g every bond, with or without ſecurity,	4
aking or filing every recognizance,	4

To the MARSHAL of the ADMIRALTY COURT.

To the marſhal.

	lb. Tob.
ſerving every writ for ſeizing a veſſel, d return,	26
ſerving every writ againſt the commander, d return,	26
ſubpœna for every witneſs, and return,	22
every proclamation,	20
ſerving every writ of attachment, and eturn,	26
For every veſſel acquitted,	60
For ſwearing every evidence in court,	10
For *ſubpœna* appraiſers,	46
For any other extraordinary ſervice, when obliged to travel from home, at the rate of per mile, beſides ferriages and neceſſary expences, to be allowed by the judges on proof being made thereof,	4

There is no admiralty court under the ſtate laws, admiralty cauſes being decided in the courts of the United States.

To the EXAMINER-GENERAL. (a)

To the examiner.

	lb. Tob.
examining every certificate of ſurvey of e hundred acres or under,	46
one hundred acres to two hundred res,	52
two hundred acres to three hundred res,	60
every hundred acres above three hundred res,	3
For every certificate of reſurvey, whether made up of one or more tracts of one hundred acres,	75
From one to two hundred acres,	87
From two hundred acres to three hundred acres,	93
For every hundred acres above three hundred acres,	5

(a) The fees of the examiner-general on each ſhore were increaſed thirty-three and a third *per cent.* by 1797, ch. 107, which to continue to 20th October, 1800, &c. and were increaſed fifty *per cent.* in addition to their fees then allowed by law, by , ch. 114, which was to continue to 1ſt October, 1799, and the examiners-general were directed thereby to lay before the general aſſembly an account, on oath, of the amount of their fees for the then preſent year.

To the CLERK of the COURT of APPEALS.

To the clerk of the court of appeals.

	lb. Tob.
rding every writ of error, *ſcire facias*, d return, per ſide, and ſo *pro rato*, com- ting one hundred and five words to a , the like for recording a tranſcript, like fees for recording errors, per ſide, d ſo *pro rato*,	8
ring and ſigning judgment,	47
ng and filing a bill of coſt,	8
of the ſame, if demanded,	8
bill of coſt from the general, chance- , or any other court,	8
of diminution, and return,	22
of poſſeſſion, or any other execution, d return,	20
ring any motion or order, filing or re- ding any bond in court, entering any tion, entering and drawing any affida- or depoſition taken or returned into court, copy errors, recording proceedings tranſmitted from the chancery court or copy the ſame, filing and recording any plea, replication, or demurrer, or copy the ſame in common law proceedings, entering and reference in court and copy the ſame, or copying any other proceedings, per ſide, and ſo *pro rato*,	8
Iſſue and rule,	24
Affixing the ſeal of the court to any copy of proceedings or exemplifications,	131
And for all other ſervices, the ſame fees as taken in the general court.	
The clerk of every court of delegates to have the ſame fees that are allowed and limitted by this act to the clerk of the court of appeals, and no more.	

CRIER's FEES in the GENERAL COURT.

Crier's fees.

	lb. Tob.
ring every jury,	106
ring every witneſs,	10
ring the bailiff,	10
y oath taken in court,	5
Every ſpecial bail,	54
Clearing every priſoner by proclamation, if required,	60
For every recognizance,	20

CORONER's FEES.

Coroner's fees.

ing the body of any perſon or perſons dered or ſlain, or otherwiſe dead by dventure, to be paid out of the goods chattels of the party ſo dead, if any there be, otherwiſe to be levied by the commiſſioners of the county where ſuch accident ſhall happen, 258

CHAP. XXV.

	lb. Tob.	
Arresting or ſummoning any ſheriff ſued or proſecuted in any court, and for taking ſecurity,	26	The ſame fees allowed wherein the ſheriff i plaintiff or defendant, on all proceſſes, a to the ſheriff, and no more.

Crier's fees.

CRIER's FEES in the COUNTY COURT.

Swearing every jury,	36	Clearing every priſoner by proclamation, i	
Swearing every bailiff,	4	required,	
Every other oath in court,	3	For calling every recognizance,	
For ſpecial bail,	20		

Pauper eſtates.

VI. AND BE IT ENACTED, That all eſtates not exceeding thirty pounds current money ſh deemed pauper eſtates; and the regiſter of wills ſhall be allowed for finally ſettling the ſame th of thirty ſhillings current money, and no more.

Regiſter not to charge for advice, &c.

VII. AND BE IT ENACTED, That no regiſter of wills within this ſtate ſhall demand, take ceive, from any perſon whatſoever, any fee, gratuity, gift or reward, for giving his advice i matter or thing relative to his office, under the penalty of fifty pounds current money for offence.

Officers to take an oath, &c.

VIII. AND BE IT ENACTED, That all perſons who are or ſhall be appointed to any of the mentioned in this act, ſhall, under the penalty of one hundred and fifty pounds current money, they enter on the execution of the ſaid office, take the following oath before ſome judge or juſt the peace, or alderman of the city of Annapolis: "You, A. B. do ſwear, that you will well, "fully and impartially, to the beſt of your ſkill and knowledge, execute your office, and tha "will not, for lucre or malice, delay any perſon or perſons applying to you for any buſineſs in "office; and that you will not willingly or wittingly charge, aſk, take, exact, demand or re "any other or larger fees for doing your duty in your office, than are mentioned, rated, regu "and eſtabliſhed, by the act, entitled, An act for the regulation of officers fees."

Accounts to be made out in words, &c.

IX. AND BE IT ENACTED, That accounts of all officers fees in this act mentioned, ſhall be out in a fair and clear manner, and in words at length; and whenever any perſon or perſons reſted in them, or to whom the ſame ſhall be charged, ſhall require a copy of ſuch account, the ral officers ſhall and are hereby required to give ſuch perſon ſo applying therefor, in as ſhort a as may be convenient, an account of ſuch charge in words at length; and that all deputies and clerks, writing in any of the offices aforeſaid, or doing ſervice in them, ſhall, before they ente any the ſervices aforeſaid, or execute or perform any duty or ſervices in any of the ſaid office fore ſome judge or juſtice of the general or county court, or alderman of the city of Annapolis, is hereby authoriſed and required to adminiſter the ſame, under the penalty of fifty pounds for neglect or refuſal,) take the following oath, under the penalty of one hundred pounds for eve fuſal or neglect, viz. "You, A. B. do ſwear, that you will not, for lucre or malice, delay an "ſon or perſons applying to you for any buſineſs belonging to the office you officiate in; and tha "will not, directly or indirectly, aſk, take, exact, demand or receive from, or charge to, any "perſon or perſons, to your own uſe, any fee or reward whatſoever, for any ſervices you ſh "as deputy-clerk of the ſaid office; and alſo, that in making out of the office fees, you will no "tingly or willingly charge other or higher fees than limitted by the act, entitled, An act f "regulation of officers fees;" which ſaid oaths before mentioned ſhall be ſeverally returned b judge, juſtice or alderman, before whom the ſame ſhall be taken, to the general court or county o as the caſe ſhall require, within twenty days after the taking thereof, under the penalty of t pounds for every neglect, and ſhall there be recorded by the clerk of ſuch court, under the p of twenty pounds for every neglect.

Proceedings not to be recorded, &c.

X. AND BE IT ENACTED, That in all actions or ſuits brought or proſecuted, or hereafter brought or proſecuted, in any of the courts in this ſtate, and the ſame are or ſhall be entered a ſtruck off, diſcontinued or abated, or ſhall be otherwiſe ended before final judgment or final d the proceedings ſhall not be recorded, unleſs at the requeſt of the plaintiff or defendant, or his or attorney, ſignified in writing, directed to the clerk of the ſaid courts reſpectively; and if the proceedings be recorded without ſuch requeſt, no fees whatever ſhall be payable for ſuch fe and all officers mentioned by this act ſhall be obliged to ſet up in the moſt public place of his and there conſtantly keep, a fair table of the fees rated and eſtabliſhed by this act, under the p of fifty pounds for every month he ſhall neglect to do the ſame.

XI.

VI. AND BE IT ENACTED, That no officer herein before mentioned, under the penalty of two hun- pounds for every offence, shall send out his fees on execution but once in every year, between first day of January and the first day of March, during the continuance of this act; and the party ged, his body, goods or chattels, shall not be executed for any of the aforesaid fees, unless his unt of such fees be delivered to him, or left at his last place of abode, on or before the first day May in any year the said fees shall be sent out or demanded. Fees to be sent out but once, &c.

VII. AND BE IT ENACTED, That where any surveyor returns a certificate for the examination of examiner-general, and the same shall be by him found erroneous, in such case the party, for whose such survey is made, shall not be burthened with any fees on such erroneous certificate, either by examiner-general or surveyor, but the surveyor returning such erroneous certificate, shall pay examiner-general for his trouble in examining the same, one third part of such fees as by this act allowed to the examiner-general. Surveyor not to be paid for erroneous certificates, &c.

VIII. AND BE IT ENACTED, That any sheriff within this state may, and he is hereby directed and ired, at any time between the first day of May and the tenth day of August yearly, (on notice en given that any inhabitant of his county indebted for officers fees, and for which an account been, before the said first day of May, delivered to or left at the last place of abode of such in- tant, is about to abscond or remove his effects from the place of his residence, whereby the said iff may be prevented from executing the same,) to apply himself to any magistrate of his county, the said magistrate, on such sheriff's application, and oath made by the sheriff or some other cre- person, that the said sheriff or such person is informed, and verily believes, that such debtor is t to abscond or remove his effects out of the said county, and thereby prevent the sheriff from uting such debtor, or his effects, for officers fees so as aforesaid due, and that an account had delivered or left, as by this law is directed, (which oath shall be reduced to writing, signed, left with the said magistrate, and by him returned to the next county court,) shall give the said a warrant from under his hand and seal, and thereby direct and empower the said sheriff to ute the said debtor, or his effects, for the fees so as aforesaid due, in money, at the rate here- specified, which the said sheriff shall do without any execution fee. Sheriff may execute, &c.

IX. PROVIDED ALWAYS, AND BE IT ENACTED, If any debtor, absconding, or about to abscond, move his effects, will give such sheriff good and sufficient security for the payment of all such ers fees, that in such case the sheriff shall and he is hereby obliged to take the same. Proviso.

X. AND BE IT ENACTED, That all costs recovered by judgment, or decree, shall hereafter be ble and paid in money, and not otherwise. To be paid in money.

XI. AND BE IT ENACTED, That the several county justices in their respective counties, at the of assessing the county levy, shall and are hereby empowered and directed to allow to the clerk heir respective courts, in their county levies, full satisfaction of warrants to the overseers of the ways, constables warrants, assisting in laying and apportioning the county levy, and all other ices to be done for their respective counties, and by order of the justices for the time being, the wing sums, to wit: For Saint-Mary's, Kent, Anne-Arundel, Charles, Somerset, Dorchester, Bal- re, Cæcil, Prince-George's, Talbot, Queen-Anne's, Worcester, Frederick and Washington nties, one hundred pounds each; for Calvert, Harford, Caroline and Montgomery counties, y pounds each; and all the respective county clerks within this state for the time being, shall they are hereby obliged to do all the said services, and such others, for the use of the respective nties, as shall be required by the justices of the peace for each respective county, from time to , and at all times hereafter, for and in consideration of the said allowance. Allowance to county clerks, &c.

XII. AND BE IT ENACTED, That if any person, chargeable with officers fees as aforesaid, shall ect or refuse to pay the same within the time aforesaid, it shall be lawful for the sheriffs, imme- ely after the tenth day of August yearly, to distrain the goods and chattels of the person so ne- ting or refusing, and to sell and dispose thereof, at the expiration of five days after distress made, ublic auction, all which shall be done by the said sheriff without fee or reward, and the overplus, ould what will satisfy the demand aforesaid, shall be returnable to the debtor. Sheriff may distrain goods, &c.

This section was excepted out of the continuing act of October, 1780, ch. 25, but this act has since been continued by several ther acts.

XIII. AND BE IT ENACTED, That if any person indebted for such fees shall refuse to pay the within the time aforesaid, or shall, on demand, neglect or refuse to shew to the sheriff goods or Persons may be executed, &c.

CHAP. XXV.

chattels to be diſtrained to the value of ſuch fees, it ſhall be lawful for the ſheriff to take ſuch ſon in execution for the money ſo due as aforeſaid; and the ſheriff ſhall, on or before the twe day of October yearly, pay to each creditor all the money he ſhall or might have received in faction of their ſeveral and reſpective debts, and if any ſheriff ſhall not make payment accord the directions of this act, ſuch ſheriff ſhall forfeit and pay to the party grieved, if he ſhall ſu ſheriff only, double the money, to be recovered with coſts, by action of debt or action on the founded on this act, in which it ſhall be ſufficient for the plaintiff to allege, that the defendant debted to him or received to his uſe the ſum of money claimed by him, whereby action accru him according to the form of this act, without ſetting forth the ſpecial matter, but if the party ſue on the ſheriff's bond, he ſhall recover only his debt, intereſt and coſt.

Suits, when to be commenced.

XIX. AND BE IT ENACTED, That no proſecution or ſuit ſhall be commenced for any pena forfeiture impoſed by this act, unleſs within one year from the time of the offence committed.

Fees to be paid at £. 12 10, &c.

XX. AND BE IT ENACTED, *That for all officers fees to become due in virtue of this act, where money is paid, or offered to be paid, the officer entitled to receive the ſame, ſhall have and receive money ſame at the rate of twelve pounds ten ſhillings common currency per hundred, until the general aſſembly ſha further order therein, any thing herein contained to the contrary notwithſtanding.*

This ſection and the following one were excepted out of the continuing act of October, 1780, ch. 23.

Attornies fees at £. 10.

XXI. AND BE IT ENACTED, *That all tobacco hereafter to become due for attornies fees ſhall be diſc in money at ten pounds per centum, any law to the contrary notwithſtanding.*

By October, 1780, ch. 23, all fees and allowances to officers or others, given in tobacco, ſhall be paid in tobacco at ſhillings and ſix-pence per hundred, or in ſpecie, valuing dollars at ſeven ſhillings and ſix-pence, at the election of the charged.

XXII. WHEREAS it is inconſiſtent with the declaration of rights that the chancellor, or juc the admiralty, ſhould take fees or perquiſites of any kind, and it is apprehended that private i duals, who have buſineſs done for them in the chancery court, or court of admiralty, or wh have the great ſeal affixed to any patent, commiſſion or other paper, for their benefit, ſhould p

Fees to be paid

the ſame, BE IT ENACTED, That all perſons who may have ſervices done in ſaid courts, or wh have the great ſeal affixed to any patent, commiſſion or other paper, for their benefit, ſhall pay t regiſter of the ſaid courts reſpectively according to the following table:

In chancery and for the great ſeal.

FEES in CHANCERY and for the GREAT SEAL.

	lb. Tob.
For the ſeal of an original writ,	4
The ſeal of a *recordari*,	10
The ſeal of a *ſubpœna ad reſpondendum*, with three names or under,	12
The ſeal of a proclamation of rebellion,	270
The ſeal of a commiſſion of rebellion,	270
The ſeal of a grant or patent of land for five hundred acres or under,	90
The ſeal of every patent or grant for every quantity above five hundred acres, for every hundred acres,	10
Seal of a decree in chancery, if required,	320
Seal of an injunction in chancery,	180
Seal of an *audita querela*,	90
Seal to execution of a decree in chancery,	120
Seal of a writ of covenant for paſſing fine,	12
Seal of a commiſſion to take acknowledgement,	90
Seal to a writ of error to the court of appeals,	180
Seal to a *ſcire facias* thereupon,	180
Seal to a *ſuperſedeas* thereupon,	180
Seal to a *certiorari*,	180
The ſeal to an exemplification of land, th ſame with the patent or grant.	
The chancellor's hand to a writ of covenant	
A ſeal to a *mandamus*, when not for the bene fit of the public,	
A ſeal to a *melius inquirendum*, when not fo the benefit of the public,	
Seal of a *ſuperſedeas* to a commiſſion of rebel lion or *ſuppicavit*,	
The ſeal of a ſheriff's patent for his office,	
Seal of a *poſſe comitatus*, to be iſſued with th ſheriff's commiſſion, and paid for by him,	
Seal of a writ of diſcharge, if any,	
Seal of a patent of denization,	
Seal of a *ne exeat*,	
Seal of a writ of error from any county court,	
Seal of a *ſcire facias* thereupon,	
Seal of a *ſuperſedeas* thereupon,	
Seal of every other matter or thing that ſhal paſs the great ſeal, and not herein con tained, when not iſſued for the benefit o the public,	

In court of admiralty.

FEES in the COURT of ADMIRALTY.

For every ſentence or condemnation fee,	500
For atteſting all depoſitions,	23
For every ſtipulation made before the judg of the admiralty,	

See the note as to the officers fees in the court of admiralty.

XXIII.

VIII. AND BE IT ENACTED, That the money ſhall be paid immediately on the ſervice done, at ...te herein before ſpecified, and the regiſters in chancery and court of admiralty reſpectively every half year, pay the ſame to the treaſurer of the weſtern ſhore, for the uſe of the public, ...hall annually lay before the general aſſembly a fair account of their receipts, and ſhall be al... a commiſſion of ten *per cent.* in full for their trouble and ſervice in the execution of this act. To be paid on ſervice done.

XIV. This act to continue until the firſt day of November next, and until the end of the next ... which ſhall happen thereafter. Duration.

...tinued for one year, &c. (except the 17th, 20th and 21ſt ſections,) by October, 1780, ch. 23, which continuing act was ...ed for one year, &c. by November, 1781, ch. 7, and to the firſt of October, 1783, &c. by November, 1782, ch. 32. ...act of October, 1780, ch. 23, was declared to be revived and continued for one year by November, 1783, ch. 30, and for ...years, &c. by 1784, ch. 83. By November, 1787, ch. 36, the act of 1779, ch. 25, and the continuing act of October, ...ch. 23, were continued to the end of the next November ſeſſion. By November, 1788, ch. 47, they were continued to ...end of the next November ſeſſion. The act of November, 1779, ch. 25, was continued by 1789, ch. 52, the act of Novem... 1788, ch. 47, by 1789, ch. 57, and the act of October, 1780, ch. 23, by 1789, ch. 58, each to 30th October, 1790, &c. ...1790, ch. 59, the acts of November, 1779, ch. 25, and October, 1780, ch. 23, (the title of which laſt act is there miſquoted,) ...continued to 30th October, 1797, &c. by 1797, ch. 116, (a general continuing act,) to firſt November, 1798, &c. by 1798, ...the act of November, 1779, ch. 25, and October, 1780, ch. 23, and the act of 1790, ch. 59, (as far as it relates to ...lodge fees allowed to the ſheriffs,) are continued to 30th October, 1805, &c.

CHAP. XXVI.

...CT to prevent diſtilling of grain into ſpirit. Lib. TBH. No. 1. fol. 73. Paſſed 30th of Dec. 1779.

To commence on the 20th of January next, and continue to the 20th of March following, &c. Expired.

CHAP. XXVII.

...CT for the relief of William Whetcroft, of the city of Annapolis. Lib. TBH. No. 1. fol. ... A Private Act.

CHAP. XXVIII.

...CT to empower the governor and council to ſell the public property therein mentioned. ... TBH. No. 1. fol. 79.

CHAP. XXIX.

...CT to appoint commiſſioners to ſtate and ſettle the public accounts. Lib. TBH. No. 1. fol. ...

To continue to 1ſt November, 1780, &c. Expired.

CHAP. XXX.

...CT to make valid a deed from Joſeph Semmes, of the kingdom of France, to Charles Goodrick, ...Charles county. Lib. TBH. No. 1. fol. 82. A Private Act.

CHAP. XXXI.

...CT relating to certain certificates. Lib. TBH. No. 1. fol. 82.

CHAP. XXXII.

...CT for the immediate ſupply of flour and other proviſions for the army. Lib. TBH. No. 1. ...83.

CHAP. XXXIII.

...CT to prohibit the going at large ſwine and geeſe in Baltimore-town, in Baltimore county. ... TBH. No. 1. fol. 88.

To continue three years, &c. Expired.

CHAP. XXXIV.

...pplement to the act, entitled, (a) An act for enlarging the powers of the governor and council. ... TBH. No. 1. fol. 89.

(a) Ch. 17, which, with the ſupplement, expired with November ſeſſion, 1782.

CHAP. XXXV.

...CT for the aſſeſſment of property within this ſtate. Lib. TBH. No. 1. fol. 90.

CHAP. XXXVI.

ACT for recruiting the quota of troops of this ſtate in the Ame... ...can army. Lib. TBH. No. 1. fol. 106.

WHEREAS an enliſtment of volunteers on bounty is the moſt eligible mode to furniſh fourteen ... hundred men for recruiting our quota of the American army; Preamble.

II. BE

CHAP. XXXVI.

Proportion in each county.

II. BE IT ENACTED, *by the General Aſſembly of Maryland*, That the ſaid fourteen hundred apportioned amongſt the ſeveral counties according to the number of militia in each county, ner following, viz. Saint-Mary's county ſeventy-two, Kent ſixty-two, Anne-Arundel ninety-vert thirty-eight, Charles ſixty, Somerſet ſixty-eight, Dorcheſter eighty-two, Baltimore or dred and forty-ſix, Cæcil ſixty-ſix, Queen-Anne's eighty, Talbot fifty, Frederick one hundr ſixty, Worceſter ſeventy-two, Prince-George's ſixty-ſix, Harford eighty-four, Caroline fifty-ſix, ington ſixty-two, Montgomery eighty.

Cloaths, &c. allowed.

III. AND BE IT ENACTED, That every perſon who ſhall enliſt on or before the firſt day o next, to ſerve in ſome one of the regiments belonging to this ſtate for three years or during t ſhall be entitled to receive from this ſtate, over and beyond the bounty heretofore allowed b greſs, two hundred and fifty dollars, and a complete ſuit of cloaths, to wit: A coat, waiſtc breeches, one ſhirt, one hat, one pair of ſhoes, a pair of ſtockings, and a pair of overalls, bounty of fifty acres of land to be granted each recruit at the expiration of three years; an recruit and his property within this ſtate ſhall be exempt from all taxes during his continuance vice, and for four years after he ſhall be regularly diſcharged.

May chooſe their regiment, &c.

IV. AND BE IT ENACTED, That every recruit, at the time of his enliſtment, ſhall ha choice of the regiment or company in which he will ſerve, provided ſuch regiment or comp not full, and if full, he may chooſe any other regiment or company not being full, which t entered againſt his name, and returned to the officer appointed to receive ſuch recruit.

Governor, &c. to draw on the ſheriffs, &c.

V. AND BE IT ENACTED, That the governor and the council be empowered and requeſted t on the ſheriffs of the ſeveral counties, or any of them, for any money collected in virtue of t for raiſing the ſupplies for the preſent year, or on either of the treaſurers, for ſuch ſums of m may be neceſſary for the recruiting ſervice, and to apply to congreſs, from time to time, to ſuch ſums as may be neceſſary, or to reimburſe the money advanced by this ſtate; and the go and the council are hereby further authoriſed and requeſted, if they think proper, to appo warrant, active and ſpirited perſons in each county, to recruit, out of the inhabitants there number of men allotted to be raiſed in ſuch county, allowing not more than one recruiting o every twenty recruits, and that ſuch officer be furniſhed with money out of the public treaſur allowed one hundred dollars for every able bodied recruit by him procured, in full for his trou expences; and the governor and the council are requeſted, if they ſhould eſteem it neceſſary, t to his excellency general Waſhington, to ſend ſome active officer of the Maryland line to the recruiting ſervice.

Allowance for recruits.

VI. AND BE IT ENACTED, That every recruiting officer, ſent down from the regular army cruit, be allowed at the rate above mentioned for every able bodied recruit by them enliſted.

Land to be given, &c.

VII. AND BE IT ENACTED, That the fifty acres of land, given as a bounty by this act, given to each recruit, or his legal repreſentative, at the expiration of three years from the enliſtment, in ſuch manner as the general aſſembly ſhall hereafter direct; and if no other pr be made for laying out the quantity of land that may be neceſſary for the purpoſe aforeſaid this ſtate, the ſame ſhall be procured by this ſtate, within the limits thereof, at the public exp

Proviſo.

VIII. PROVIDED ALWAYS, That if any perſon hereafter to be enliſted ſhall deſert the ſerv ſhall not be entitled to the fifty acres of land herein before mentioned.

Families to have aſſiſtance.

IX. AND, for the further encouragement of thoſe who ſhall enter into the ſervice, BE IT EN That if any of the recruits to be raiſed in virtue of this law ſhall have families who may ſtand of the public aſſiſtance, the ſeveral county courts are hereby authoriſed and empowered to aff ſaid families, during the abſence of ſuch recruits in the ſervice of this or the United State aſſiſtance as the ſaid courts reſpectively may in their diſcretion judge adequate and proper.

To be defrayed by the ſtate.

X. AND BE IT ENACTED, That all expences accruing by granting any aſſiſtance to the fam ſuch recruits, be defrayed by the ſtate, and that the ſaid courts have full power and auth draw upon the treaſurers of the eaſtern and weſtern ſhore reſpectively for any ſums of money ſary for defraying ſuch charges.

A bounty of land, &c.

XI. AND, for the further encouragement of the recruiting officers, to be appointed accor the directions of this act, BE IT ENACTED, That a bounty of one hundred acres of land, to

and laid out in ſuch manner and place within this ſtate as the general aſſembly may hereafter ſhall be given to every ſuch recruiting officer, or his legal repreſentative, within three years the firſt day of February next, who ſhall enliſt and deliver twenty able bodied effective recruits before the firſt day of March next, and alſo a bounty of fifty acres of land, to be procured as aid, to every recruiting officer who ſhall enliſt and deliver twenty able bodied effective recruits before the firſt day of April next.

Recruits to paſs muſter.

I. AND BE IT ENACTED, That the recruits aforeſaid ſhall be carried by the recruiting officers ively before the lieutenant, or any field-officer, of the county in which ſuch recruits are raiſed, muſter, and no part of the bounty aforeſaid ſhall be drawn by any recruiting officer for any not paſſed by ſuch lieutenant or field-officer.

Money to be tranſmitted, &c.

II. AND, whereas the times of enliſtments of ſundry privates and non-commiſſioned officers in ts of troops of this ſtate, ſerving under his excellency general Waſhington, will expire during urſe of the year ſeventeen hundred and eighty, BE IT ENACTED, That the governor and coun- , from time to time, tranſmit to general Smallwood, or in caſe of his death or abſence to the ommanding officer of the ſaid troops, ſuch ſums of money as may be neceſſary for paying the ounties to any of the aforeſaid privates and non-commiſſioned officers who may re-enliſt in any regiments of this ſtate for three years or during the war, as are meant to be given by this act recruits.

Bounty in land, &c.

IV. AND BE IT ENACTED, That the ſame bounty in lands ſhall alſo be given to each private n-commiſſioned officer aforeſaid, and in ſuch manner as by this act is provided to be beſtowed new recruits enliſting within this ſtate.

CHAP. XXXVII.

ACT for the relief of certain nonjurors. Lib. TBH. No. 1. fol. 109. A Private Act.

Paſſed 30th of Dec. 1779.

CHAP. XXXVIII.

ACT for calling out of circulation certain bills of credit emitted by act of aſſembly. Lib. TBH. No. 1. fol. 118.

Preamble.

WHEREAS from the ſcarcity of ſpecie and the want of a proper medium of trade, and for the payment of the public debt, bills of credit, to the amount of one hundred and ſeventy-three nd ſeven hundred and ſeventy-three dollars, were emitted and made current, by virtue of the ntitled, (a) An act for the payment of the public claims, for emitting bills of credit, and for purpoſes therein mentioned, and it is now thought proper that the ſaid bills of credit be called d the holders thereof paid for the ſame,

(a) November, 1766, ch. 26.

Bills to be brought in, &c.

BE IT ENACTED, *by the General Aſſembly of Maryland*, That the bills of credit emitted by virtue ſaid act, ſhall be and are hereby required to be brought in and delivered to the treaſurer of eſtern ſhore on or before the firſt day of June, who ſhall lock them up in the iron cheſts, or ſafe place, which bills of credit ſhall be counted and burnt by a committee of both houſes of y, to be appointed at the next ſeſſion after the ſaid firſt day of June next.

If not, irredeemable, &c.

II. AND BE IT ENACTED, That all bills of credit emitted by virtue of the ſaid act, which ſhall not ught in and delivered to the treaſurer aforeſaid on or before the ſaid firſt day of June next, e for ever hereafter irredeemable.

AND, whereas by the ſaid act, entitled, An act for the payment of the public claims, for g bills of credit, and for other purpoſes therein mentioned, paſſed at a ſeſſion of aſſem- gun and held at the city of Annapolis on Saturday the firſt day of November, in the year een hundred and ſixty-ſix, it was among other things enacted, that bills of credit of the deno- of dollars and aliquot parts of a dollar, to the amount of one hundred and ſeventy-three d ſeven hundred and ſeventy-three dollars, ſhould be printed and ſtruck, and that the bearer of the ſaid bills ſhould be entitled to receive bills of exchange, payable in London, at the four ſhillings and ſix-pence ſterling per dollar for any of the ſaid bills, and that his lordſhip, ht honourable the lord proprietary, or the governor or commander in chief of this province time being, at ſome time between the twenty-fifth day of March and the twenty-fifth day of the year ſeventeen hundred and ſeventy-ſeven, ſhould nominate and appoint a commiſſioner

to

CHAP. XXXVIII.

to receive and take in the ſaid bills of credit, and to draw bills of exchange for the ſatisfacti diſcharge thereof, and that any perſon or perſons in poſſeſſion of any number or quantity of t bills of credit ſhould be entitled, on producing the ſame before ſuch commiſſioner between the ty-fifth day of June, ſeventeen hundred and ſeventy-ſeven, and the twenty-fifth day of Dec next thereafter incluſive, to have and receive, from the ſaid commiſſioner, bills of exchange full value of the ſaid bills of credit ſo produced, at the rate of four ſhillings and ſix-pence per dollar, to be drawn by the ſaid commiſſioner upon the truſtees reſiding in London; and ſure payment of the ſaid bills of exchange, it was by the ſaid act directed, that the ſaid t ſhould accept the ſaid bills, and to enable them to pay the ſame when due, the ſaid truſtees w the ſaid act, authoriſed, between the acceptance and the time of payment of the ſaid bills, to ſ diſpoſe of any quantity of the capital ſtock of the bank of England belonging to this ſtate that be neceſſary to raiſe monies for the payment of the ſaid bills of exchange: And whereas this g aſſembly are deſirous of complying (as far as may be in their power) with the public faith and

Treaſurer appointed, &c.

to the holders of the ſaid bills, BE IT ENACTED, That the treaſurer of the weſtern ſhore ſhall he is hereby appointed commiſſioner for the purpoſe of complying with the directions of the ſa and he is hereby inveſted with all the power and authority given, or intended to be given, commiſſioner to be appointed by the proprietary or the governor, agreeable to the directions ſaid recited act.

V. AND, whereas the truſtees aforeſaid, or truſtee herein after directed to be appointed, prevented by the government of Great-Britain from ſelling the bank ſtock for the payment of t bills of exchange, and it is therefore reaſonable the holders of the ſaid bills of credit, who ar pelled by this act to bring in the ſame, ſhould have it in their option, either to receive bills change drawn as by this act is provided, or certificates, in payment for the ſaid bills of credi

Poſſeſſor to receive bills of exchange, &c.

IT ENACTED, That any poſſeſſor of the ſaid bills, on producing the ſame to the commiſſioner ap ed in virtue of this act at any time on or before the firſt day of June next, ſhall receive fro either bills of exchange, agreeable to the directions of the ſaid recited act and the terms in t bills of credit expreſſed, or a certificate expreſſing the ſum delivered in, payable with intereſt, election of the poſſeſſor of the ſaid bills, and thereupon this ſtate ſhall be debtor for the amou the public faith is hereby pledged for the payment thereof, with intereſt, in the ſame manner viſion ſhall hereafter be made for the ſatisfaction of other creditors of this ſtate; but if the exchange, or any of them, to be drawn in virtue of this act, ſhall not be paid, the ſame ſhall newable, but neither the drawer, or any endorſer thereof, ſhall be anſwerable for or liable any damages thereon, other than the charges of proteſt, and this condition ſhall be inſerted ſaid bills.

One perſon to be appointed, &c.

VI. AND, whereas the ſaid truſtees may refuſe or neglect to act, BE IT ENACTED, That the following perſons, to wit: William Carmichael, Edmund Jenings, Joſhua Johnſon, Janath liams, or Richard Bennett Lloyd, Eſquires, ſhall be appointed in manner herein after directed, as truſtee, in caſe of ſuch refuſal or neglect, which perſon, ſo appointed truſtee for and on be this ſtate, ſhall be and he is authoriſed and empowered to ſell and diſpoſe of the capital ſtock bank of England belonging to this ſtate, on the beſt terms that can be procured, and there accept and pay the bills of exchange directed to be drawn in purſuance of this act, and he is authoriſed and required to call on the ſaid truſtees, and to receive from them any money i hands belonging to this ſtate, and on receipt to give a diſcharge therefor, and the ſaid truſtee entitled to, and may retain, at the rate of two and one half *per cent.* on the money received fr ſaid truſtees, and on the money received from the ſale of the ſaid ſtock, and is hereby direc obſerve all ſuch orders and directions as he may receive from time to time from the governo the council of this ſtate, relative to his conduct in the truſt by this act repoſed in him.

Who are to appoint, &c.

VII. AND BE IT ENACTED, That his excellency Benjamin Franklin, Eſquire, miniſter fr United States of America to the court of Verſailles, may, and he is hereby authoriſed and re to appoint any one of the perſons before named he may think proper, to execute the truſt repo this act, and for that purpoſe he is requeſted to procure a paſſport or ſafe conduct for ſuch pe go to London to tranſact the buſineſs, and in caſe the ſaid Benjamin Franklin ſhall die or dec appoint, his excellency John Jay, Eſquire, miniſter from the United States of America to th of Madrid, may, and he is hereby authoriſed and requeſted to appoint any one of the ſaid p as aforeſaid.

Intereſt to be paid annually.

VIII. AND BE IT ENACTED, That the intereſt accruing on any certificate iſſued in virtue act ſhall be paid annually by the ſaid treaſurer, if required, and ſuch certificate may be diſc

of any public aſſeſſment, and if any ſubject of this ſtate ſhall, within or without this ſtate, and any perſon ſhall, within this ſtate, forge or counterfeit any certificate iſſued in virtue of this act, ſhall alter the ſum expreſſed in any ſuch certificate, or ſhall paſs in payment any ſuch counterfeit altered certificate, knowing the ſame to be counterfeit or altered, and ſhall be thereof convicted the general court of this ſtate, or ſhall ſtand mute, or peremptorily challenge above the number twenty of the pannel, ſuch perſon ſhall ſuffer death as a felon without benefit of clergy. CHAP. XXXVIII.

X. AND BE IT ENACTED, That every certificate iſſued in purſuance of this act ſhall be printed ſtruck in the following form, and with ſuch devices and marks as the ſaid commiſſioner may k will beſt prevent counterfeits, and ſhall be ſigned by him, and counterſigned by his clerk: ſtate of Maryland, ſſ. No. ——. This certificate ſhall entitle the bearer to receive from the of Maryland, the ſum of —— current money, with intereſt annually, at the rate of ſix *per cent. annum*, according to an act of aſſembly, entitled, An act for calling out of circulation certain bills credit emitted by act of aſſembly. Iſſued at the city of Annapolis, on the —— day of ——, 1780. Counterſigned —— —— clerk. —— —— commiſſioner. Form of certificate.

CHAP. XXXIX.

ACT to increaſe the allowances of witneſſes, and the fees of conſtables. Lib. TBH. No. 1. l. 121. Paſſed 30th of Dec. 1779.

CHAP. XL.

ACT to increaſe the allowance of juſtices of the peace and jurymen. Lib. TBH. No. 1. l. 122.

To continue till the end of the next ſeſſion. Expired.

CHAP. XLI.

ACT for the ſpecial appointment of inſpectors, and to increaſe their ſalaries and the warehouſe nt. Lib. TBH. No. 1. fol. 122.

CHAP. XLII.

ACT for the payment of the journal of accounts. Lib. TBH. No. 1. fol. 123.

a SESSION of the GENERAL ASSEMBLY of MARYLAND, 1780. begun and held at the CITY of ANNAPOLIS, on Thurſday, the 23d of March, in the year of our Lord 1780, and ended the 16th day of May, the following laws were enacted.

THOMAS SIM LEE, ESQUIRE, GOVERNOR.

CHAP. I.

ACT for the adjournment of the general court for the eaſtern ſhore. Lib. TBH. No. 1. l. 197. Paſſed 16th of May, 1780.

CHAP. II.

pplement to the act (a) for recruiting the quota of troops of this ſtate in the American army. ib. TBH. No. 1. fol. 198.

(a) November, 1779, ch. 36.

CHAP. III.

ACT to aid the proceedings of the commiſſioners of the tax, and for other purpoſes. Lib. TBH. o. 1. fol. 198.

CHAP. IV.

ACT to compel the attendance of the members of the general aſſembly. Lib. TBH. No. 1. l. 201.

To continue until the end of the next ſeſſion. Continued by June, 1780, ch. 9, to the end of the next ſeſſion. Expired.

CHAP. V.

Paſſed 16th of May, 1780. An ACT to veſt an eſtate of inheritance in fee-ſimple of certain lands in Anne-Arundel coun Baſil Burgeſs, of the ſame county, and to enable him to ſell or otherwiſe diſpoſe of the Lib. TBH. No. 1. fol. 202. A Private Act.

CHAP. VI.

A Supplement to the act (a) for the erecting new warehouſes in the town of Bladenſburg. Lib. No. 1. fol. 203.

(a) November, 1779, ch. 8.

CHAP. VII.

An ACT for the relief of Robert Long. Lib. TBH. No. 1. fol. 204. A Private Act.

CHAP. VIII.

An ACT to declare and aſcertain the privileges of the ſubject France reſiding within this ſtate. Lib. TBH. No. 1. fol. 205

Preamble. WHEREAS in and by the thirteenth article of the treaty of amity and commerce betwe moſt chriſtian majeſty and the United States of America, it is provided, that the ſubject inhabitants of the ſaid United States, or any of them, ſhall not be reputed *aubains* in France conſequently ſhall be exempted from the *droit d'aubain*, or other ſimilar duty, under what name ſ they may by teſtament, donation, or otherwiſe, diſpoſe of their goods, moveable and immove and their heirs, ſubjects of the ſaid United States, reſiding whether in France or elſewhere, ſucceed them *ab inteſtat*, without being obliged to obtain letters of naturalization, and without h the effect of this conceſſion conteſted or impeded, under pretext of any rights or prerogatives o vinces, cities, or private perſons, and the ſaid heirs, whether ſuch by particular title, or *ab in* ſhould be exempt from the *droit d'detraction*, or other duty of the ſame kind, ſaving nevertheleſs local rights or duties, as mu h and as long as ſimilar ones are not eſtabliſhed by the United Stat any of them: And whereas the exemptions aforeſaid have been confirmed by a declaration o moſt chriſtian king, bearing date the twenty-ſixth day of July, *anno domini* ſeventeen hundre ſeventy-eight, by which it is alſo eſtabliſhed, that the ſubjects of the United States of America enjoy within his dominions the privileges of nations the moſt favoured: And whereas, as well the ground of equality and reciprocity, as becauſe of the generous and important aid afforded t United States by the moſt chriſtian king, their great and illuſtrious ally, in the preſent war Great-Britain, ſuitable returns are due from the ſaid ſtates in general, and from this in parti by granting and eſtabliſhing, on our part, like and ſpecial privileges and advantages in favour o ſubjects of France;

Subjects, &c. to enjoy rights, &c. II. BE IT THEREFORE ENACTED, *by the General Aſſembly of Maryland*, That the ſubjects of F within this ſtate, who have come or may come to ſojourn or reſide within the ſame, for the pur of commerce or otherwiſe, ſhall have and enjoy all and every the rights, privileges and exemp of the full and free citizens of the ſtate, without taking any oath, or giving any promiſe of alleg or fidelity to this ſtate.

Proviſo. III. PROVIDED ALWAYS, That nothing herein contained ſhall be conſtrued to grant to the ſu of France, or the other dominions of his moſt chriſtian majeſty, who ſhall continue ſubjects o ſaid majeſty, and not qualify themſelves as citizens of this ſtate, any right to purchaſe or hold or real eſtate, but for their reſpective lives or for years, or to inveſt them with the privilege of v in any election, or the capacity of enjoying any civil office, or of being eligible as governor, me of the council, or general aſſembly, or as a delegate to congreſs.

Subjects, &c. may deviſe lands, &c. IV. AND BE IT ENACTED, That in caſe any ſubject of France, or other dominion of his chriſtian majeſty, who hath qualified or ſhall qualify himſelf as a citizen of this ſtate, by ſe therein, and by giving thoſe aſſurances of allegiance and attachment to the ſame, which are or be required of the citizens of the ſame, ſhall die ſeized in fee of any real eſtate, the laſt will and ment of ſuch decedent, in favour of the ſubjects of his moſt chriſtian majeſty, or any of them, wh reſiding in France or elſewhere, ſhall be good and available in the law, and the deviſee or de appointed in and by ſuch will or teſtament ſhall be deemed to be citizens of this ſtate, for the pu of taking and recovering ſuch deviſe or deviſes; or if ſuch decedent hath died or ſhall die inte the natural kindred of ſuch decedent, whether reſiding in France or elſewhere, ſhall inherit her real eſtate, in like manner as if ſuch decedent and his kindred were the citizens of this ſta

V. Prov

PROVIDED NEVERTHELESS, That whenever any ſubject of France ſhall become ſeized in fee of real eſtate within this ſtate, by virtue of any ſuch laſt will or teſtament, or by inheritance, as aforeſaid, his or her eſtate therein, after the term of ten years be expired, ſhall veſt in the ſtate, as the perſon ſeized of the ſame, within that time, either come to ſettle in and become a citizen of this ſtate, or infeoff thereof ſome citizen of this, or ſome other of the United States of America. CHAP. VIII. Proviſo.

CHAP. IX.

AN ACT for the relief of Henry Griffith, of Montgomery county. Lib. TBH. No. 1. fol. 207. A Private Act. Paſſed 16th of May, 1780.

CHAP. X.

AN ACT to prohibit the going at large ſwine and geeſe in Queen's-town, in Queen-Anne's county. Lib. TBH. No. 1. fol. 208.

CHAP. XI.

AN ACT to revive and aid the proceedings of Calvert county court, and for other purpoſes therein mentioned. Lib. TBH. No. 1. fol. 209.

CHAP. XII.

AN ACT to revive and aid the proceedings of Caroline county courts. Lib. TBH. No. 1. fol. 210.

CHAP. XIII.

AN ACT to raiſe a company of infantry to ſerve within the ſtate. Lib. TBH. No. 1. fol. 211.

CHAP. XIV.

AN ACT to make valid a deed from George Conn to Joſiah Shaw, of Prince-George's county. Lib. TBH. No. 1. fol. 212. A Private Act.

CHAP. XV.

AN ACT to make valid a deed from Mary Athey to John Webſter, of Prince-George's county. Lib. TBH. No. 1. fol. 213. A Private Act.

CHAP. XVI.

AN ACT to encourage the deſtroying of wolves. Lib. TBH. No. 1. fol. 214.

To continue one year, &c. Expired.

CHAP. XVII.

AN ACT for the relief of certain nonjurors. Lib. TBH. No. 1. fol. 215. A Private Act.

CHAP. XVIII.

AN ACT to aboliſh for ever the payment of quit-rent. Lib. TBH. No. 1. fol. 216.

WHEREAS it appears to this general aſſembly highly improper for, and derogatory to, the citizens of this ſovereign and independent ſtate, to pay quit-rent or tribute to the ſubject of foreign prince, and that not only their honour and dignity, but their ſafety, requires, that no ſubject of an enemy ſhould draw a revenue from this ſtate: And whereas ſince the preſent glorious revolution, the payment of quit-rent has ceaſed throughout the United States, and found policy dictates, that the citizens of this ſtate ſhould hold their lands on equal terms with the citizens of the other ſtates: And whereas the payment of quit-rent, from the declaration of independence, hath ceaſed of right ought to ceaſe, being an acknowledgment of a feigniory incompatible with the abſolute ſovereignty of this free and independent ſtate; Preamble.

BE IT THEREFORE ENACTED, *by the General Aſſembly of Maryland*, That the citizens thereof, from the declaration of independence, and for ever thereafter, be, and they are hereby declared to be exonerated and diſcharged from the payment of the aforeſaid quit-rent, and that the ſame ſhall be for ever aboliſhed and diſcontinued. Quit-rents aboliſhed.

CHAP. XIX.

AN ACT for the adjournment of the general court for the weſtern ſhore, and of Dorcheſter county court. Lib. TBH. No. 1. fol. 217.

CHAP. XX.

Passed 16th of May, 1780.

A Supplement to the act, entitled, An act for securing the tit the proprietors of lots and houſes in Charles-town, in Ch county. Lib. TBH. No. 1. fol. 217.

Preamble.

WHEREAS by the act for ſecuring the title of proprietors of lots and houſes in Charles in Charles county, paſſed at a ſeſſion of aſſembly begun and held at the city of Annapo eighth day of November, ſeventeen hundred and ſeventy-nine, * the commiſſioners appointed ſaid act were directed to meet on or before the fifteenth day of March then following, for th poſes therein mentioned: And whereas the act by which the ſaid meeting was directed to b did not reach the ſaid county in time to be executed,

* Chapter 23.

Commiſſioners to meet, &c.

II. BE IT THEREFORE ENACTED, *by the General Aſſembly of Maryland*, That the commiſſione pointed by the aforeſaid act ſhall, on or before the firſt day of Auguſt next, meet at Charle aforeſaid, and having ſo met, ſhall have full and ample power and authority to do, execute an form, the ſeveral things and duties required of them by the ſaid act, and when done, ſhall be de taken and conſidered, as good and effectual in law as though they had been performed within th appointed by the ſaid law, any thing therein contained to the contrary notwithſtanding.

CHAP. XXI.

An ACT to continue the acts of aſſembly therein mentioned. TBH. No. 1. fol. 218.

Several acts continued.

BE IT ENACTED, *by the General Aſſembly of Maryland*, That an act of aſſembly for amendi repairing the public roads in Baltimore county, made at a ſeſſion of aſſembly begun and the city of Annapolis on Saturday the firſt day of November, one thouſand ſeven hundred and ſix, (a) be and is hereby continued, and ſhall be and remain in full force for and during the t one year, and to the end of the next ſeſſion of aſſembly which ſhall happen after the end of th one year; that one other act of aſſembly, entitled, An act for the relief of inſolvent debtors, at a ſeſſion of aſſembly begun and held at the city of Annapolis on Wedneſday the twenty-thi of March, ſeventeen hundred and ſeventy-four, (b) be and is hereby continued, and ſhall remain in full force for and during the term of ſeven years, and to the end of the next ſe aſſembly which ſhall happen after the end of the ſaid ſeven years; that one other act of aſ entitled, An act to prohibit for a limitted time the exportation of wheat, flour, rye, Indian rice, bread, beef, pork, bacon, live ſtock, peas, beans, oats, and other victual, made at a ſe aſſembly begun and held at the city of Annapolis on Monday the eighth day of November, ſev hundred and ſeventy-nine, (c) be and is hereby continued, and ſhall be and remain in full forc the end of the next ſeſſion of aſſembly; and that one other act of aſſembly, entitled, An act enlarging the powers of the governor and council, (d) and a ſupplement to the act, entitled, for enlarging the powers of the governor and council, made at a ſeſſion of aſſembly begun an at the city of Annapolis on Monday the eighth day of November, ſeventeen hundred and ſe nine, (e) be and is hereby continued, and ſhall be and remain in full force until the end of th ſeſſion of aſſembly.

(a) November, 1766, ch. 24. (b) 1774, ch. 28. (c) November, 1779, ch. 16. (d) November, 1779 (e) November, 1779, ch. 34.

CHAP. XXII.

An ACT relating to the ſtores and neceſſaries heretofore granted to the officers of this ſtate. TBH. No. 1. fol. 219.

CHAP. XXIII.

An ACT to enable the judges of the court of appeals to appo clerk. Lib. TBH. No. 1. fol. 220.

Preamble.

WHEREAS a clerk of the court of appeals hath not been appointed, and it is neceſſary clerk ſhould be appointed;

Judges to meet, &c.

II. BE IT ENACTED, *by the General Aſſembly of Maryland*, That the judges of the court of a or any two or more of them, ſhall have full power and authority to meet at the city of Annapo ſuch days as the ſaid judges, or any two or more of them, ſhall determine, and appoint and qu clerk for the ſaid court, which ſaid clerk, when ſo appointed and qualified, ſhall hold his com during good behaviour, removeable only for miſbehaviour on conviction in a court of law.

C. B

CHAP. XXIV.

ACT for licenſing and regulating ordinary-keepers. Lib. TBH. No. 1. fol. 220.

Paſſed 16th of May, 1780.

A Supplement 1791, ch. 58.

Juſtices to grant licences, &c.

BE IT ENACTED, *by the General Aſſembly of Maryland*, That the juſtices of each county, in court ſitting, (a) be, and are hereby empowered and authoriſed, at their next June and Auguſt courts the eaſtern and weſtern ſhores reſpectively, to grant licences to ſuch perſon or perſons as they think fit, being perſons of good repute, to be ordinary-keepers, for keeping of ordinaries, in and ſo many places within their ſeveral and reſpective counties, except within the city of Annapolis, for the eaſe and convenience of the inhabitants, travellers and ſtrangers, as to them reſpectively ſhall ſeem meet, for every of which licences, except within the ſaid city of Annapolis, there to be paid the ſum of ſix pounds for every year ſuch perſon or perſons ſhall keep ordinary as aforeſaid.

(a) By 1791, ch. 58, the chief juſtice, or an aſſociate juſtice, of any county court, may grant licences (within the counties where they reſpectively reſide,) for keeping ordinaries, to be in force till the end of the court next after, for which the perſon ſhall pay in proportion, and ſhall recogniſe.

To be renewed annually, &c.

II. AND BE IT ENACTED, That during the continuance of this act, all ordinary licences ſhall be renewed at every June and Auguſt courts, on the eaſtern and weſtern ſhores reſpectively, on pain that any perſon, then omitting or neglecting to renew his licence, and continuing to ſell liquor, as ordinary-keeper, ſhall be liable to all the penalties mentioned in this act againſt perſons keeping ordinary or ſelling liquors without licence; and it ſhall alſo be lawful for the juſtices to refuſe granting ſuch perſon licence for that year, and if they ſhall think fit to grant the ſame at any court thereafter, the ſaid ordinary-keeper ſhall pay the full annual charge for ſuch licence; provided that any perſon, not having before had a licence to keep ordinary, may, at any other court, other than the courts aforeſaid, have licence granted, if the juſtices ſee fit, to continue no longer than the June and Auguſt courts following, on the eaſtern and weſtern ſhores reſpectively, when it ſhall determine, and may be renewed; for taking which licence, the ordinary-keeper ſhall pay only in proportion to the time between his taking ſuch licence and the court aforeſaid.

Sheriffs to collect fines, &c.

III. AND BE IT ENACTED, That the ſeveral ſheriffs ſhall collect and receive all fines and forfeitures ariſing on the breach of any part of this act, and the clerk of each reſpective county ſhall keep a true and exact entry of all ordinary-keepers, to whom ſuch licences are granted, and of all fines and forfeitures relating thereto, and on or before the firſt day of October yearly, ſhall return to the treaſurers of the weſtern or eaſtern ſhores reſpectively, where the ſaid clerks ſhall officiate, a true liſt of the ordinary-keepers in their reſpective counties, licenſed as aforeſaid, and alſo of all fines and forfeitures, happening in that year, under this act.

Juſtices to ſet the price of liquors, &c.

IV. AND BE IT ENACTED, That the juſtices of the ſeveral county courts ſhall, at their reſpective county courts in the months of June and Auguſt yearly, or oftener, as they ſhall think fit, ſet and aſſeſs, in current money, the rates and prices of all liquors, and other accommodations whatſoever, by ordinary-keepers to be vended, for the year enſuing; which rates and prices of all liquors and other accommodations, ſo to be ſet and aſſeſſed by the juſtices aforeſaid, ſhall be by their ſeveral and reſpective clerks tranſcribed and ſet up, in ſome public place in their reſpective county court-houſe, that every perſon may peruſe the ſame, a copy of which rates, every ordinary-keeper within each county is hereby obliged to keep and ſet up, in the moſt public and convenient place of his houſe, for the peruſal of all perſons whatſoever, under the penalty of ſix hundred pounds of tobacco; and every ordinary-keeper, who ſhall, directly or indirectly, demand or receive for any ſuch liquors, or other accommodations, more than the rates and prices ſo aſſeſſed, ſhall, for every ſuch demand or receipt, forfeit and pay three hundred pounds of tobacco; and in caſe any ſuit is brought by any ordinary-keeper, on any account wherein any liquors, or other accommodations, are charged higher than the rates aforeſaid, ſuch ordinary-keeper ſhall be nonſuit, and pay the defendant his full coſts; and for every ſuch account paid and ſatisfied to any ordinary-keeper, he ſhall, on complaint of the party injured, to a ſingle magiſtrate or county court, be, in a ſummary way, ordered and compelled, by ſuch magiſtrate or county court, to reſtore to the party injured the whole ſum ſo before had and received on ſuch account, with his coſt on ſuch complaint.

Ordinary-keepers to provide beds, &c.

V. AND BE IT ENACTED, That every ordinary-keeper, to be licenſed as aforeſaid, ſhall, within two months after obtaining ſuch licence, be obliged to provide and maintain (if ſuch ordinary be kept at the court-houſe in any county,) ſix good feather beds, more than ſufficient for the private uſe of ſuch ordinary-

CHAP XXIV.

ordinary-keeper, with ſufficient covering for the ſame, and Indian corn, oats, hay, ſtraw and ſt for ten horſes at leaſt; and if at any place in the county other than the court-houſe, thre beds, with covering, and ſufficient ſtabling and provender for ſix horſes at leaſt, under the p of eight hundred pounds of tobacco.

Proviſo.

VI. PROVIDED ALWAYS, That no perſon ſhall be admitted to keep an ordinary, other th maſter, principal, or head of the houſe in which ſuch ordinary ſhall be kept.

Juſtices may ſuppreſs diſorderly houſes, &c.

VII. AND BE IT ENACTED, That if any ordinary-keeper ſhall keep a diſorderly houſe, upo plaint made thereof to the juſtices of the county court, they are hereby authoriſed and requi ſuppreſs ſuch ordinary; and during the receſs of the court, upon complaint made to any two j of the peace, or upon their own obſervation of ſuch miſbehaviour, contrary to the directions act, it ſhall be lawful for them to ſuſpend ſuch ordinary-keeper, until the next county court may hear and finally determine the matter, and either entirely ſuppreſs, or permit the contin of ſuch ordinary.

Fine on perſons ſuſpended, &c.

VIII. AND BE IT ENACTED, That if any perſon ſo ſuſpended ſhall preſume, during ſuch ſ ſion, to keep ordinary, ſuch perſon ſhall incur the ſame penalty and forfeiture as perſons keepi dinary without licence are ſubject to by this act.

For keeping ordinary without licence, &c.

IX. AND BE IT ENACTED, That if any keeper of an ordinary which ſhall be ſo ſuppreſſed, o perſon that ſhall preſume to keep ordinary, without licence firſt obtained as aforeſaid, ſha every month he or ſhe ſhall ſo keep ordinary, forfeit and pay one thouſand pounds of tobacc ſo proportionably for a longer or ſhorter time.

To ſell by ſealed meaſures, &c.

X. AND BE IT ENACTED, That every licenſed ordinary-keeper ſhall ſell only by ſealed me except bottled cider, perry, quince drink, and ſtrong beer, of the produce of this ſtate, an liquors as ſhall come into this ſtate in bottles; and that any ordinary-keeper, who ſhall neg keep a ſealed quart, pint, half-pint, and gill meaſure, and ſhall refuſe or neglect to ſell by the as aforeſaid, ſhall forfeit and pay ſix hundred pounds of tobacco.

Not to ſell without licence, &c.

XI. AND BE IT ENACTED, That from and after the firſt of July and September next, on the e and weſtern ſhores reſpectively, any perſon whatſoever, not being licenſed to keep ordinary ſhall preſume to ſell any rum, brandy, cider, or other ſpirtuous liquors, mixed or unmixed, a fer any part thereof to be drank in or about the houſe or plantation of ſuch perſon, or who ſh any ſpirituous liquors, as aforeſaid, at or near the court-houſe of any county in this ſtate, o near the place of any muſter or training of the militia, or on board any veſſel in this ſtat ſuffer the ſame to be drank in ſuch veſſel, except to ſailors, or perſons belonging to, or emplo labour on board ſuch veſſel, ſuch perſon, ſo offending, ſhall forfeit and pay ſix hundred pou tobacco for every ſuch offence.

Proviſo.

XII. PROVIDED ALWAYS, That nothing in this act ſhall be conſtrued to prohibit any mercha perſon keeping ſtore for the ſale of merchandiſe, from retailing liquors, ſo as ſuch liquors drank at the houſe, ſtore or place, where the ſame ſhall be ſold.

This ſection is excepted out of the acts of 1784, ch. 7, and ch. 37, and is not now in force. See the note on the conti

Proviſo.

XIII. PROVIDED ALSO, That nothing in this act contained ſhall be conſtrued to prohibit an ſon, or his agent, clerk, or other manager, to diſpoſe of any ſtrong or ſpirituous liquors to t men, labourers, or others, hired or employed by ſuch perſon, or his agent, clerk, or other ma

None but ordinary-keepers to ſell, &c.

XIV. AND BE IT ENACTED, That it ſhall not be lawful for any perſon whatſoever, other licenſed ordinary-keeper, to ſell or diſpoſe of, at any horſe-race, any wine, rum, brandy, cid other ſtrong liquors, or any mixture thereof, under pain of forfeiting, for every quantity of th ſold at one time to one or more perſons, ſix hundred pounds of tobacco.

See the note on ſection 12.

Proviſo.

XV. PROVIDED ALWAYS, AND BE IT ENACTED, That it ſhall not be lawful for any licenſe nary-keeper to ſell or diſpoſe of, after ſunſet, at the time and place of horſe-racing aforeſai ſuch ſtrong or ſpirituous liquors, or mixed drink, on pain of forfeiting, for every ſuch offence, hundred pounds of tobacco.

XVI.

CHAP. XXIV.

Perſons to enter into recognizance, &c.

VI. AND BE IT ENACTED, That it ſhall not be lawful for the juſtices of any county court to a licence to any perſon to keep an ordinary, until ſuch perſon enter into a recognizance to the in the ſum of ſix thouſand pounds of tobacco, with two ſufficient ſureties, conditioned, that perſon ſo obtaining ſuch licence ſhall keep good rules and orders, and not ſuffer looſe, idle, or derly perſons, to tipple, game, or commit any diſorders, or other irregularity, in ſuch ordi- and ſhall a ſo well and truly obſerve, perform, fulfil and keep, the ſeveral matters and things act particularly ſpecified, and in every reſpect conform himſelf thereto, then the ſaid recog- e to be void, otherwiſe of force; for which ſaid licences and recognizances, a copy of the of liquors and other accommodations, every ordinary-keeper ſhall pay, to the clerk of each re- e county court, the ſum of thirty-two pounds of tobacco, and no more.

Penalty for harbouring apprentices, &c.

VII. AND BE IT ENACTED, That if any ordinary-keeper ſhall harbour, entertain, or ſell any to, any indented apprentice, or apprentice bound out by any county court of this ſtate, or ught, indented or convicted ſervant, or any ſlave belonging to or employed by any perſon ſons within this ſtate, without leave or licence in writing firſt had and obtained from the re- e maſter, miſtreſs or owner of ſuch apprentice, ſervant or ſlave, ſuch ordinary-keeper ſhall, ry ſuch offence, forfeit and pay one hundred and ſixty pounds of tobacco to the maſter or miſ- ſuch apprentice, ſervant or ſlave, to be recovered with coſts, upon complaint of the ſaid or miſtreſs, before a juſtice of the county where ſuch ordinary-keeper lives.

Acts repealed.

VIII. AND BE IT ENACTED, That an act of aſſembly, made at a ſeſſion of aſſembly begun and t the city of Annapolis the twenty-eighth day of October, one thouſand ſeven hundred and , entitled, (a) An act reſtraining victuallers, and keepers of public houſes, from entertaining ors, to the prejudice of trade and commerce; and that an act of aſſembly, made at a ſeſſion of ly, held in the year one thouſand ſeven hundred and ſixty-eight, entitled, (b) An act for li- ordinary-keepers, hawkers, pedlers and petty chapmen; and alſo an act to render the re- of the penalty for ſelling liquor without licence more certain, paſſed at a ſeſſion of aſſembly and held at the city of Annapolis on the ſixteenth day of November, one thouſand ſeven d and ſeventy-three, (c) be and are hereby repealed.

(a) Ch. 10. (b) Ch. 27. (c) Ch. 19.

How fines, &c. are to be recovered, &c.

IX. AND BE IT ENACTED, That in all caſes where no different mode of recovery or application ointed by this act, all and every fine and forfeiture, impoſed by this act, ſhall and may be re- d, in any court of record, by action of debt, bill of indictment, or information, with coſts, , her or them, who will ſue or proſecute to effect for the ſame; and that one half of all fines rfeitures, to be incurred for any breach of this act, where the ſame is not otherwiſe given or , ſhall be to him, her or them, who will ſue or proſecute to effect for the ſame, and the other hereof ſhall be paid to the ſheriff of the county in which the recovery ſhall happen.

Sheriffs allowance, &c.

X. AND BE IT ENACTED, That the ſeveral ſheriffs aforeſaid ſhall be allowed at and after the of five *per cent.* on all monies by them reſpectively received in virtue of this act, and the ſaid ſhall, yearly and every year, on or before the firſt day of October, pay all the monies by them ed in virtue of this act, except their commiſſion aforeſaid, into the hands of the treaſurers of ſpective ſhores where received, to be by the ſaid treaſurers from time to time accounted for to neral aſſembly.

Clerk to deliver a liſt, &c.

XI. AND, for the better diſcovery of offenders, BE IT ENACTED, That the clerk of the ſeveral courts ſhall, at every ſuch court, at the time of empannelling the grand jury, deliver to them of all perſons in his county to whom licences ſhall have been granted, and ſhall be allowed in blic levy, for his trouble therein, at the diſcretion of the juſtices of his county; and it is enacted and declared to be the duty of the grand jury, to preſent every perſon offend- ainſt the ſaid act, and the conſtables ſhall be ſworn up at every county court to the grand

Duration.

XII. This act to continue for and during the ſpace of ſeven years, and to the end of the next of aſſembly which ſhall happen after the expiration of the ſaid ſeven years.

tinued for ſeven years, &c. by November, 1787, ch. 38, which act, ſo far as it continues this, is repealed by 1791, ch. ed by 1784, ch. 7, ſection 5, the regulations, &c. in this act (except ſuch parts as relate to the retailing of liquors by mer- or ſtore-keepers or at horſe-races,) are declared to be in full force for ever as to the granting licences on the eaſtern ſhore, milar proviſion is made as to the weſtern ſhore by 1784, ch. 37, ſection 22, (except as to the city of Annapoſis.)

CHAP.

CHAP. XXV.

Passed 16th of May, 1780. A Supplement to the act (a) for the assessment of property within this state. Lib. TBH. No. 225.

(a) February, 1777, ch. 21. To levy the further sum of £. 20 in the hundred, at two payments.

CHAP. XXVI.

An ACT for the relief of certain nonjurors. Lib. TBH. No. 1. fol. 228.

CHAP. XXVII.

An ACT relating to fines, forfeitures and penalties, and to establish the allowances to witnesses fees of constables. Lib. TBH. No. 1. fol. 233.

To continue until the end of the next session. Continued by June, 1780, ch. 9, to the end of the next session. Expi

CHAP. XXVIII.

An ACT for the relief of Richard Colegate and John Colegate. Lib. TBH. No. 1. fol. 23 Private Act.

CHAP. XXIX.

An ACT to increase the allowance of justices of the peace and jurymen. Lib. TBH. No. 235.

To continue till the end of the next session. Continued by June, 1780, ch. 9, to the end of the next session. Expir

CHAP. XXX.

An ACT for the relief of certain collectors of the public assessment. Lib. TBH. No. 1. fol.

CHAP. XXXI.

An ACT for the payment of the journal of accounts. Lib. TBH. No. 1. fol. 237.

At a SESSION of the GENERAL ASSEMBLY of MARYLA begun and held at the CITY of ANNAPOLIS, on Monday, 12th of June, in the year of our Lord 1780, and ended the day of July, the following laws were enacted.

THOMAS SIM LEE, ESQUIRE, GOVERNOR.

CHAP. I.

Passed 5th of July, 1780. An ACT to authorise the commissioners appointed by the act for the immediate supply of fl other provisions for the army, to hire or impress vessels and carriages. Lib. TBH. No. 239.

CHAP. II.

An ACT to procure a loan. Lib. TBH. No. 1. fol. 239.

CHAP. III.

An ACT for a new and speedy enrolment of the militia. Lib. TBH. No. 1. fol. 243.

Expired with the act to regulate the militia, June, 1777, ch. 17, viz. at the end of the session of 1785.

CHAP. IV.

An act for the relief of Zachariah Forrest, collector of the tax for Saint-Mary's county. Lib. No. 1. fol. 244. A Private Act.

CHAP. V.

An ACT for the payment of certain certificates. Lib. TBH. No. 1. fol. 245.

CHAP. VI.

An ACT for the relief of Thomas Williams, collector of the assessment in Prince-George's Lib. TBH. No. 1. fol. 246. A Private Act.

CH

CHAP. VII.

CT for the adjournment of Charles county court. Lib. TBH. No. 1. fol. 246. Paſſed 5th of July, 1780.

CHAP. VIII.

ACT for ſinking the quota required by congreſs of this ſtate of the ills of credit emitted by congreſs. Lib. TBH. No. 1. fol. 247.

HEREAS on the eighteenth day of March, in the year one thouſand ſeven hundred and eigh- Preamble.
ty, congreſs paſſed an act in the following words: "Theſe United States having been driven his juſt and neceſſary war, at a time when no regular civil governments were eſtabliſhed of ſuf- energy to enforce the collection of taxes, or to provide funds for the redemption of ſuch bills dit as their neceſſities obliged them to iſſue, and before the powers of Europe were ſufficiently nced of the juſtneſs of their cauſe, or of the probable event of the controverſy, to afford them credit; in conſequence of which, their bills increaſing in quantity beyond the ſum neceſſary e purpoſe of a circulating medium, and wanting at the ſame time ſpecific funds to reſt on for redemption, they have ſeen them daily ſink in value, notwithſtanding every effort that has been to ſupport the ſame, inſomuch that they are now paſſed by common conſent, in moſt parts of United States, at leaſt thirty-nine fortieths below their nominal value, and ſtill remain in a of depreciation, whereby the community ſuffers great injuſtice, the public finances are deranged, he neceſſary diſpoſitions for the defence of the country are much impeded and perplexed; and effectually to remedy thoſe evils, for which purpoſe the United States are become compe- their independence being well aſſured, their civil government eſtabliſhed and vigorous, and the of their citizens ardent for exertion, it is neceſſary ſpeedily to reduce the quantity of the medium in circulation, and to eſtabliſh and appropriate funds that ſhall inſure the punctual re- tion of the bills; therefore Reſolved, that the ſeveral ſtates continue to bring into the conti- l treaſury, by taxes or otherwiſe, their full quotas of fifteen million dollars monthly, as aſſign- em by the reſolution of the ſeventh of October, ſeventeen hundred and ſeventy-nine, a clauſe e reſolve of the twenty-third of February laſt, for relinquiſhing two thirds of the ſaid quotas contrary notwithſtanding; and that the ſtates be forthwith called on to make proviſion for inuing to bring in to the ſaid treaſury their like quotas monthly, to the month of April, ſeven- hundred and eighty-one, incluſive; that ſilver and gold be receivable in payment of the ſaid as, at the rate of one Spaniſh milled dollar in lieu of forty dollars of the bills now in circula- ; that the ſaid bills, as paid in, except for the months of January and February paſt, which may eceſſary for the diſcharge of paſt contracts, be not re-iſſued, but deſtroyed; that as faſt as aid bills ſhall be brought in to be deſtroyed, and funds ſhall be eſtabliſhed as hereafter mention- for other bills, other bills be iſſued, not to exceed on any account one twentieth part of the no- l ſum of the bills brought in to be deſtroyed; that the bills that ſhall be iſſued ſhall be redeemable ecie, within ſix years after the preſent, and bear an intereſt of five *per cent. per annum*, to be paid in ſpecie at the redemption of the bills, or, at the election of the holder, annually, at the reſpec- continental loan-offices, in ſterling bills of exchange, drawn by the United States on their com- oners in Europe, at four ſhillings and ſix-pence ſterling per dollar; that the ſaid new bills iſſue he funds of individual ſtates for that purpoſe eſtabliſhed, and to be ſigned by perſons appointed hem, and that the faith of the United States be alſo pledged for the payment of the ſaid bills, aſe any ſtate on whoſe funds they ſhall be emitted ſhould, by the events of war, be rendered in- ble to redeem them, which undertaking of the United States, and that of drawing bills of ex- nge for the payment of intereſt as aforeſaid, ſhall be endorſed on the bills to be emitted, and ed by a commiſſioner to be appointed by congreſs for that purpoſe; that the face of the bills to mitted read as follows, viz. "The poſſeſſor of this bill ſhall be paid —— Spaniſh milled dollars y the 31ſt day of December, 1786, with intereſt in like money, at the rate of five *per cent. per nnum*, by the ſtate of ——, according to an act of the legiſlature of the ſaid ſtate, of the —— ay of ——, 1780;" and the endorſement ſhall be as follows, viz. "The United States inſure he payment of the within bill, and will draw bills of exchange for the intereſt annually, if de- anded, according to a reſolution of congreſs of the 18th day of March, 1780;" that the ſaid bills ſhall be ſtruck under the direction of the board of treaſury, in due proportion for each , according to their ſaid monthly quotas, and lodged in the continental loan-offices in the reſpec- ſtates, where the commiſſioner to be appointed by congreſs, in conjunction with ſuch perſons as reſpective ſtates appoint, ſhall attend the ſigning of the ſaid bills, which ſhall be completed no r than in the aforeſaid proportion of one to twenty of the other bills brought in to be deſtroyed, which ſhall be lodged for that purpoſe in the ſaid loan-offices; that as the ſaid new bills are d and completed, the ſtates reſpectively on whoſe funds they iſſue receive ſix tenths of them, that the remainder be ſubject to the orders of the United States, and credited to the ſtates on

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whoſe funds they are iſſued, the accounts whereof ſhall be adjuſted agreeably to the reſolution ſixth of October, ſeventeen hundred and ſeventy-nine; that the ſaid new bills be receivable ment of the ſaid monthly quotas, at the ſame rates as aforeſaid of ſpecie, the intereſt thereo computed to the reſpective ſtates to the day the payment becomes due; that the reſpective ſta charged with ſuch parts of the intereſt on their ſaid bills as ſhall be paid by the United States of exchange, and the accounts thereof ſhall be adjuſted, agreeably to the reſolution aforeſaid ſixth of October, ſeventeen hundred and ſeventy-nine; that whenever intereſt on the bills emitted ſhall be paid prior to the redemption, ſuch bills ſhall be thereupon exchanged for oth the like tenor, to bear date from the expiration of the year for which ſuch intereſt is paid; th ſeveral ſtates be called on to provide funds for their quotas of the ſaid new bills, to be ſo prod as to ſink or redeem one ſixth part of them annually, after the firſt day of January next; that n in the foregoing reſolutions ſhall be conſtrued to aſcertain the proportions of the expence in by the war, which each ſtate, on a final adjuſtment, ought to be charged with, or to exclu claims of any ſtate to have the prices at which different ſtates have furniſhed ſupplies for the hereafter taken into conſideration, and equitably adjuſted; that the foregoing reſolutions, with ter from the preſident, be diſpatched to the executive of the ſeveral ſtates, and that they be re ed to call their aſſemblies, if not already convened, as ſpeedily as poſſible, to take them into diate conſideration, to eſtabliſh ample and certain funds for the purpoſes therein mentioned, take every other meaſure neceſſary to carry the ſame into full and vigorous effect, and tha tranſmit their acts for that purpoſe to congreſs without delay: And whereas the preſent gene ſembly, from the peculiar ſituation and extreme exigency of our public affairs, think it expedi adopt the above recommendation of congreſs, and to comply with and carry the ſame into exec as far as poſſible: And whereas it is apprehended to be impracticable to bring into the treaſur taxes, within the time limitted, the whole ſum required by congreſs, and to make proviſion by for carrying on the preſent juſt and neceſſary war: And whereas it is conceived, that with reg the twenty million five hundred and forty thouſand dollars, directed by congreſs to be brought taxes or otherwiſe, and ſunk or deſtroyed, the moſt eligible mode will be to make it the inter the holders of the bills to bring the ſame into the treaſury, by giving them ſix tenths of the new to be emitted in purſuance of the above act of congreſs, and that an ample fund be eſtabliſh ſinking or redeeming one ſixth part of the ſaid new bills annually, after the firſt day of January

In what manner bills are to be exchanged, &c.

II. BE IT THEREFORE ENACTED, *by the General Aſſembly of Maryland*, That if any perſon o ſons, inhabiting or reſiding within this ſtate, do or ſhall, on or before the firſt day of January bring into the continental treaſury in the ſtate of Maryland, any ſum of the continental bi credit now in circulation, not exceeding one hundred and ten dollars for one hundred p worth of property ſuch perſon or perſons may ſtand chargeable with on the liſts of aſſeſſment fo preſent year, (to be aſcertained by a certificate from the collector of the tax or by oath of the p ſuch perſon or perſons ſhall receive, for every two hundred dollars ſo brought in, ſix dollars o new bills hereafter to be emitted, and ſo in proportion for a greater or leſs quantity, provide money be brought in even ſums, that can be changed on that ſcale, after which day, any p or perſons who will bring into the continental treaſury in the ſtate of Maryland, any ſum or ſu the ſaid continental bills of credit heretofore emitted, not exceeding in the whole the above ſ twenty million five hundred and forty thouſand dollars, including what was brought in before time, and not leſs in any one ſum than two hundred dollars, ſhall receive, for every two hu dollars ſo brought in, ſix dollars of the new bills hereafter to be emitted, and ſo in proportio greater ſums, until the whole be brought in, and ſunk or deſtroyed; and as ſoon as the ſaid ſ twenty million five hundred and forty thouſand dollars be brought into the ſaid continental trea then the commiſſioner or treaſurer preſiding in ſaid office ſhall immediately ſtop, and receive n ther ſum of the ſaid bills of credit.

Perſons to be appointed, &c.

III. AND BE IT ENACTED, That the governor and council ſhall appoint proper perſons, no ceeding ſix in number, in conjunction with the continental commiſſioner, to ſign the ſaid new and the perſons ſo appointed ſhall be entitled to receive, as a reward for their ſervice in ſigning ſame, at the rate of twelve ſhillings and ſix-pence for every thouſand bills ſo ſigned.

Account to be kept, &c.

IV. AND BE IT ENACTED, That an account ſhall be kept by the continental commiſſioner in ſtate of the names of all thoſe who bring in continental bills to be exchanged, and alſo of the each perſon may bring in, and the ſaid bills, when ſo brought in, ſhall be burnt and deſtroye ſuch times as may be directed by the governor and council, and new bills ſhall be given out (n exceed one twentieth part of the nominal ſum of the bills brought in,) by the continental com oner, from time to time, in lieu of ſuch bills ſo brought in, and four dollars for every two hu

do

...so brought in shall be signed as above directed, and retained in the treasury, subject to the ...of congress.

Governor, &c. to apply to congress, &c.

AND BE IT ENACTED, That the governor and council shall be and are hereby fully authorised ...requested to apply to congress, and obtain from them new bills, sufficient to exchange for the ...ental bills that may be brought in, and shall cause the same to be signed, from time to time as ...may be, and safely kept in the custody of the commissioner of the continental loan-office, ready ...exchanged for such of the old bills as may be brought in, according to the directions of this act.

Property to be valued, &c.

...AND, for establishing an ample, permanent and indubitable fund for sinking one sixth part of the ...new bills annually, after the first day of January next, BE IT ENACTED, That between the first ...of February and fifteenth day of March, in the year seventeen hundred and eighty-one, and be... the first day of February and fifteenth day of March annually, in the five years next following, ...shall be a valuation or estimate of all the property within this state, by assessors, in the mode now ...ished and practised in this state, and for every hundred pounds worth of property within this ...so to be ascertained, there shall be set and assessed one bushel of good merchantable wheat, or ...y-five pounds of merchantable tobacco, and after that rate for every greater or lesser sum, the ...eat to be made and enforced annually, in one or two payments, before the first of November, ...e collection to be completed and payment made by the collectors into the treasury annually, ...the first day of December, the person chargeable with the said tax to have an option to pay every ...of wheat, or twenty-five pounds of tobacco, with one Spanish milled dollar, or one dollar of ...id, new bills, and the said tax in wheat or tobacco, or so much thereof as may be necessary, ...e inviolably appropriated for the sinking or redeeming one sixth part of the said new bills an..., after the first day of January, in the year seventeen hundred and eighty-one.

Table of duties, &c.

...AND, to remove all doubt as to the punctual redemption of the said new bills, and as a fur... fund, BE IT ENACTED, That duties on exports and imports, and other rates, be imposed ac...g to the following table, and shall be collected and paid as hereafter directed, viz. On all ...co exported, per hogshead, five shillings; on marriage licences, twenty-five shillings; on ordinary ...es, six pounds; on rum, brandy, gin, or other spirit, imported, per gallon, two-pence; on ...ra wine imported, per gallon, four-pence; on other wines imported, per gallon, two-pence; ...gitters for vessels, by the tun, one shilling; on all commissions and letters of marque or repri...sal, ...ounds; on coffee imported, per hundred, one shilling; on loaf sugar imported, per hundred, ...illing and six-pence; on home made spirit from molasses or sugar, one penny; on home made ...from grain, per gallon, one penny; on all billiard tables, per year, fifteen pounds; on negro ...imported from other of the United States, unless by persons who come to reside in this state, ...pounds; on bar iron exported, per ton, fifteen shillings; on pig iron exported, per ton, three ...gs and nine-pence; also all fines, forfeitures and amerciaments, including forfeited recogni...s, and all forfeitures for treason or felony.

Duty on negroes, &c.

...III. AND BE IT ENACTED, That for every negro or other slave imported into this state, there ...be paid to the naval-officer a duty of five hundred pounds currency, unless such negro or other ...belong to some person coming to settle in this state, and not intended for sale, in which case no ...shall be paid, or unless such negro or other slave have been an inhabitant of some one of the ...d States three years antecedent to the time of such importation, in which case a duty as above ...teen pounds currency, and no more, shall be paid to the naval-officer for every such negro or ...slave so imported, such residence to be made appear, to the satisfaction of the naval-officer, by ...oath of one or more credible witness or witnesses.

How forfeitures, &c. are to be recovered, &c.

...AND BE IT ENACTED, That all estates forfeited for treason or felony shall be sold, under the ...ority and direction of the court where such forfeiture shall arise, by the sheriff of the county, or ...puty, to the highest bidder, for gold and silver, or bills of the new emission, or for continental ...ncy where sold before the first day of January next, and the money shall be paid to the sheriff ...e county, and be by him transmitted, as soon as may be, to the treasurer of his shore; and all ..., forfeitures and amerciaments, and also the tax on billiard tables, and also on home made spirit, ...money arising on forfeited recognizances, shall be received by the sheriffs of the several counties ...ctively, and be by them annually paid into the public treasury on or before the first day of No...er in each year, and their office bond shall be liable for the due execution of their trust herein; ...l duties on exports and imports shall be received by the several naval-officers in the respective ...s, and be by them respectively paid annually into the public treasury, on or before the first day ...ovember in each year, and the office bonds of such naval-officers shall be liable for the due

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execution of their truſt herein, and no naval-officer ſhall clear out any ſhip or other veſſel af time herein limitted, without punctual payment of ſaid duties, under the penalty of paying th himſelf; and all duties on marriage licences and ordinary licences ſhall be received by the cl the ſeveral counties, and be by them accounted for annually, on or before the firſt day of No in each year, and the office bonds of ſuch clerks reſpectively ſhall be liable for the due execu their truſt herein; and each of the above officers ſhall be entitled to a commiſſion of four *per c* all monies by them received and paid, as above directed, and ſhall be liable to pay fifteen *p* intereſt in caſe of failure in payment; and all monies ariſing or payable for regiſtering of veſ granting letters of marque and repriſal, ſhall be immediately paid into the treaſury by order governor and council.

Captains, &c. to give an account, &c.

X. AND BE IT ENACTED, That all captains or other perſons entering or clearing out veſſel and are hereby obliged to give an account on oath, to the naval-officer of the diſtrict, of thei cargo, and particularly to mention all rum, wine, and other articles of import, and alſo all art export, liable to pay duty in virtue of this act; and if any captain or commander of ſuch veſſ neglect or refuſe ſo to do, ſuch veſſel ſhall not be entered or cleared until this act be complied and in caſe the captain or other perſon owning the articles enumerated in the above table ſ the time of entry, requeſt the naval-officer to take bond with good ſecurity for ſaid duties on it ſhall and may be lawful for the naval-officer to take ſuch bond, but ſuch ſhip or veſſel import ſame ſhall not be cleared out until the ſaid bond be diſcharged.

Perſons marrying, &c. to pay, &c.

XI. AND, whereas divers perſons, citizens of this ſtate, having conſiderable property, ma after marry without licence; BE IT ENACTED, That every male perſon, inhabiting or reſiding this ſtate, who ſhall have property above the value of two hundred pounds on the liſts of aſſe and ſhall marry after the firſt day of November next, without licence, ſhall be liable to pay t five ſhillings to the ſheriff of his county, to be by him received and accounted for as directed.

Duty to be paid every three months, &c.

XII. AND BE IT ENACTED, That the duty on all ſpirit made within this ſtate ſhall be pa in three months, by the diſtiller or perſon making the ſame, and ſuch perſon ſhall be called u the ſheriff or collector quarterly, to render account on oath of all ſpirit by him or her made, pay the duty thereon; and in caſe of neglect or refuſal to pay the above ſum of twenty-five ſ by any perſon or perſons ſo married, as alſo in caſe of neglect or refuſal to pay the above poſed on billiard tables or home made ſpirit, the ſheriff or collector of each county may, an hereby empowered and required to diſtrain and ſell the effects of the perſon or perſons ſo refu neglecting to make payment, thereby to compel ſuch payment.

In gold or ſilver, &c.

XIII. AND BE IT ENACTED, That the above duties and taxes ſhall be payable in gold or or new bills hereafter to be emitted according to the above recommendation of congreſs, a payment of the ſaid duties on exports and imports ſhall commence on the firſt day of Novembe and the payment of all other rates hereby ſet and impoſed on the ſame firſt day of Novembe and the money ariſing on the tax in tobacco or wheat aforeſaid, and on ſuch duties and rates, in paper bills of the new emiſſion, ſuch bills ſhall not be re-iſſued, and if paid in gold or ſilve be ſafely kept until a ſum ſufficient be received to ſink one ſixth of the ſaid new bills, and th ſame ſhall, by order of the general aſſembly, be exchanged for the ſaid paper bills to be from time brought in and deſtroyed.

Certain money to be exchanged, &c.

XIV. AND BE IT ENACTED, That where any ſum or ſums of continental currency ſhall into the office, on forfeited eſtates, or in any other manner, in virtue of the acts of aſſembly ſtate, it ſhall and may be lawful for the governor and the council to exchange the ſame, judge it moſt for the public emolument, for the new bills to be hereafter emitted, and ſix of the money ariſing from forfeited eſtates ſhall be applied to the ſinking fund, ſix tenths other money ſo exchanged to the uſe of the ſtate, and the remaining four tenths to the ord for the uſe of congreſs.

Money brought in to be exchanged, &c.

XV. AND BE IT ENACTED, That the money which may be brought into the treaſury, taxes impoſed in virtue of the act, entitled, A ſupplement to the act for the aſſeſſment of p within this ſtate, and which ſhall remain after payment of debts now owing by the ſtate, ſhall changed for the new bills, and the treaſurer of the weſtern ſhore, when called on by any cred this ſtate for payment, (if he has the money in hand) may make the offer to the creditor to payment in new bills, at the rate of one dollar of the new bills for every thirty-three and on

of the old paper due such creditor, not exceeding in such exchange the amount of such or's assessment. CHAP. VIII.

VI. AND BE IT ENACTED, That all monies collected in virtue of this act, over and beyond may be sufficient to redeem annually, agreeable to this act, one sixth of the said new bills, shall ject to the disposal of the general assembly. Money subject to disposal, &c.

VII. AND BE IT ENACTED, That the said bills of credit, to be emitted in pursuance of the requisition of congress of the eighteenth of March last, shall be current and a legal tender in ent and discharge of any debt, covenant, rent, promise, contract or agreement; and every cur- money debt may be discharged at the sum expressed in the said bills, and every sterling debt at change of one hundred and sixty-six pounds thirteen shillings and four-pence current money e hundred pounds sterling; and any person indebted may petition the chancellor or judges of eneral court, who may in a summary way call on the creditor, or his executor, administrator gnee, or on the executor or administrator of the assignee, or the attorney in fact of such cre- and by order compel him to receive the balance due, and to deliver up the mortgage, obliga- note of hand, or other evidence of the debt, promise, contract or agreement, and where there utual debts may cause one debt to be set against the other; and the chancellor or judges may t their register or clerk, or other person, to state and adjust the claims, and to strike the ce; and the chancellor and judges may enforce obedience to their order, by attachment, and itment of the person refusing or neglecting to yield obedience; and if the money due has been ered, and the creditor, his executor, administrator or assignee, or the executor or administrator e assignee, refused to accept the same, or kept out of the way to prevent a tender, the costs of etition shall be allowed; and where any action is or shall be prosecuted on any mortgage, debt, ant, contract, promise or agreement, the defendant may bring the money into court, and there- the court shall proceed in a summary way in the same manner as above directed. Bills of credit a legal tender, &c.

VIII. AND, whereas this general assembly are desirous that equal justice should take place be- debtor and creditor; BE IT ENACTED, That in case the said new bills shall depreciate in value e the tenth day of October next, it shall and may be lawful for the chancellor and judges of the al court, or a majority of them, and they are hereby authorised and required, between the and twentieth day of October next, to determine the exchange or difference at which debts acted before the first day of September, in the year one thousand seven hundred and seventy-six, be discharged and paid, and such rule shall be a standard for tender or payment of such debts, the first day of the next term in the month of May next, at which term the chancellor and , or a majority of them, if any further depreciation shall have taken place, may again ascer- the depreciation or exchange or difference as aforesaid, and the standard of exchange, so to be tained, shall be the rule of tender or payment of all such debts; and the county courts in all s before them shall be bound and govern themselves by the exchange to be determined and as- ned as aforesaid; and the chancellor and the judges, or a majority of them, may at each term after (during the time the said new bills shall continue in circulation) ascertain the exchange, oresaid, at which the said new bills may be tendered or paid for such debts, until the next term such determination, which they shall cause to be published in the Annapolis and Baltimore -papers, for the information and government of all concerned. Chancellor, &c. to determine the exchange, &c.

IX. AND BE IT ENACTED, That gold and silver coin shall be accepted in payment of the said at the following rates, regulations and values, to wit: Value of coin, &c.

	£.		
Johannes's, weighing 18 pennyweight,	6	0	0
Half johannes's, weighing 9 dwt.	3	0	0
Moidores, weighing 6 dwt. 18 grains,	2	5	0
English guineas, weighing 5 dwt. 6 grains,	1	15	0
French guineas, weighing 5 dwt. 5 grains,	1	14	6
Spanish pistoles, not lighter than 4 dwt. 6 grains,	1	7	6
French milled pistoles, weighing 4 dwt. 4 grains,	1	7	0
Arabian chequins, weighing 2 dwt. 3 grains,	0	13	9
Other gold coin, (German excepted,) by the pennyweight,	0	6	5
English milled crowns,	0	8	4
Other English milled silver at the same rate.			
French silver crowns,	0	7	6
Spanish milled pieces of eight,	0	7	6
Other good coined Spanish silver, per ounce,	0	8	6
Any other gold coin of the same fineness of Spanish or Portugal coin, per ounce,	6	9	2

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CHAP. IX.

Passed 5th of July, 1780.

An ACT to continue the acts of assembly therein mentioned. TBH. No. 1. fol. 256.

Several acts continued.

BE IT ENACTED, *by the General Assembly of Maryland*, That an act of assembly, entitled, for the enlarging the powers of the governor and council, made at a session of assembly and held at the city of Annapolis on Monday the eighth day of November, seventeen hundr seventy-nine, (a) and a supplement to the act, entitled, An act for enlarging the powers of t vernor and council, passed at the same session, (b) be and they are hereby continued, and s and remain in full force until the end of the next session of assembly; that other acts of ass entitled as follows, to wit: An act to compel the attendance of the members of the general bly, (c) an act to increase the allowance of justices of the peace and jurymen, (d) and an lating to fines, forfeitures and penalties, and to establish the allowance to witnesses and fees o stables, (e) made at a session of assembly begun and held at the city of Annapolis on Thursd twenty-third day of March last, be and they are hereby continued, and shall be and remain force until the end of the next session of assembly.

(a) November, 1779, ch. 17. (b) November, 1779, ch. 34. (c) March, 1780, ch. 4. (d) March, 1780, (e) March, 1780, ch. 27.

CHAP. X.

An ACT to procure recruits to complete the battalions of this in the service of the United States, and to raise an additional giment, if necessary. Lib. TBH. No. 1. fol. 256.

Preamble.

WHEREAS it has been represented by congress, and by letters from general Washingto the committee of co-operation, that it is absolutely necessary to bring a powerful arm the field this campaign; and it appearing to this general assembly their indispensable duty to the most vigorous exertions to recruit the quota of troops of this state;

Proportion in each county.

II. BE IT THEREFORE ENACTED, *by the General Assembly of Maryland*, That fourteen hu men be forthwith raised, and that the same be apportioned among the several counties in manne lowing, viz. Saint-Mary's seventy-two, Kent sixty-two, Anne-Arundel ninety-six, Calvert t eight, Charles sixty, Somerset sixty-eight, Dorchester eighty-two, Baltimore one hundred and six, Prince-George's sixty-six, Cæcil sixty-six, Talbot fifty, Queen-Anne's eighty, Worcester sev two, Frederick one hundred and sixty, Harford eighty-four, Caroline fifty-six, Washington sixty Montgomery eighty; out of which number, so apportioned, each county shall have a deducti all able bodied men heretofore enlisted in virtue of the act passed at November session, seventeen dred and seventy-nine, entitled, An act for recruiting the quota of the troops of this state American army.

Lieutenant, &c. to meet, &c.

III. AND BE IT ENACTED, That the lieutenant of the county, and the several field-officers, tog with the commissioners of the tax in each county, are hereby required, under the penalty thousand pounds each, to meet at the usual place of holding their county courts, on the fifteent of July next, and the lieutenant of the county, field-officers and commissioners, or any five or of them, shall, and they are hereby authorised and required, to class all the property last asse their respective counties into as many equal classes as there may be men wanted for such county each class shall, within ten days thereafter, find an able bodied recruit to serve during the w take up a deserter enlisted to serve during the war, and the same deliver to the lieutenant county, to be by him passed, which being done, such class shall be exempt from contributing any perty towards finding the men intended to be raised by this act.

To appoint a person to recruit, &c.

IV. AND BE IT ENACTED, That if any class shall neglect to procure a recruit or deserter as said, on or before the twenty-fifth day of July next, the lieutenant of the county, and in case death, absence or neglect, any field-officer of such county shall, and he is hereby authorised a quired, as soon as possible thereafter, to appoint active and proper persons to procure an able b soldier for every class in his county neglecting to furnish their recruit as aforesaid, to serve the war, and may empower the person by them appointed to recruit, to give such bounty of as will obtain a recruit for such class, not exceeding fifteen pounds upon every hundred pounds of property classed agreeable to this act.

V.

To aſcertain the ſum to be paid, &c.

AND BE IT ENACTED, That the lieutenant and field-officers of the county, or any three or of the commiſſioners of the tax, ſhall proceed to aſcertain the ſum every perſon, or the pro- in ſuch claſs, ſhall pay, according to the amount of property in the laſt aſſeſſment; and if erſon in ſuch claſs ſhall refuſe or neglect to pay the money ſo rated, or there be no perſon to pay for the property thus claſſed and rated, the lieutenant of the county, and in caſe of ath, abſence or neglect, any field-officer of ſuch county, may iſſue his warrant to the ſheriff county, or any of his deputies, to levy ſuch money (with the coſts of ſerving ſuch warrant,) property of each perſon claſſed as aforeſaid, according to his aſſeſſment aforeſaid; and any claſs ſhall find a recruit, and any perſon of the claſs ſhall refuſe to contribute his juſt tion of the ſum advanced by his claſs to procure ſuch recruit, according to his aſſeſſment, utenant of the county, (or in his abſence or neglect any field-officer of his county,) may and by warrant as aforeſaid, direct ſuch ſum, as he ſhall determine to be the proportion of ſuch to be levied by the ſale of any of his property, and ſhall pay the ſame to the perſons ad- g the money in proportion to the ſum by them ſeverally advanced.

And to impoſe a penalty, &c.

AND BE IT ENACTED, That where any perſons are included in any claſs that are returned by eſſors as paupers, it ſhall and may be lawful for the lieutenant of the county and field-officers, ſuch claſs do not find a man within the time limitted, to impoſe ſuch penalty on every ſuch as upon all circumſtances they may think reaſonable, regard being had to the age and occupa- of ſuch perſons, and the ſum of money they may annually make by the trade or induſtrious yment they reſpectively follow, and in caſe of non-payment of the fine ſo impoſed, ſuch perſon committed to the public gaol until he make payment.

Recruits to receive cloaths, &c.

AND BE IT ENACTED, That all recruits obtained in virtue of this act ſhall be entitled (beſides ntinental bounty of two hundred dollars,) to receive from this ſtate a complete ſuit of cloaths, : A coat, waiſtcoat and breeches, one ſhirt, one hat, one pair of ſhoes, and a pair of ſtock- and fifty acres of land to be granted each recruit at the expiration of the war, and each recruit property in the ſtate ſhall be exempt from all taxes during his continuance in ſervice, and for ears after he ſhall be legally diſcharged.

And to paſs muſter, &c.

AND BE IT ENACTED, That all recruits, raiſed in virtue of this act, ſhall be carried before utenant of the county, or ſome field-officer, in which the recruits are or ſhall be raiſed, to paſs , and the officers aforeſaid ſhall keep an exact liſt of all ſuch recruits ſo paſſed as aforeſaid, and ld-officers are alſo hereby required to make out liſts of the recruits brought before them re- ely, and return the ſame to the county lieutenant, on or before the firſt day of Auguſt next; he lieutenant of each county ſhall, as ſoon as may be, return a liſt of the men raiſed in his to the governor and council, and forward the ſame to ſuch place as ſhall be directed by the nor and council.

March to be expedited, &c.

AND BE IT ENACTED, That the governor and council are hereby authoriſed and required to he moſt effectual means of expediting the march of the ſeveral recruits procured by virtue of any former law.

Quarters to be provided, &c.

AND BE IT ENACTED, That the lieutenants of the ſeveral counties are hereby empower- required to provide quarters and proviſions for the ſeveral recruits that may be raiſed by ate, until the ſaid recruits ſhall be forwarded to the reſpective places of rendezvous as afore-

Money paid to be allowed.

AND BE IT ENACTED, That all money paid by executors, adminiſtrators, guardians and truſ- in conſequence of this act, ſhall be charged by them in their accounts, and the ſame in value be allowed therein.

Proportions to be raiſed, &c.

AND, whereas this aſſembly has propoſed to the commander in chief to raiſe a regiment of ndred and thirty-one men, to join the army in lieu of the militia required from this ſtate, BE ACTED, That the governor and council ſhall have full power and authority, upon notice that mander in chief accepts the propoſal, to order the following proportions of the ſaid number hundred and thirty-one men to be raiſed by the ſeveral counties, (in addition to the number firſt part of this act apportioned.) to wit: Saint-Mary's twenty-ſeven, Kent twenty-four, rundel thirty-eight, Calvert fifteen, Charles twenty-three, Somerſet twenty-ſix, Dorcheſter one, Baltimore fifty-five, Cæcil twenty-five, Queen-Anne's thirty, Talbot nineteen, Frederick Worceſter twenty-ſeven, Prince-George's twenty-five, Harford thirty-one, Caroline twenty-

one,

CHAP. X.

one, Washington twenty-four, Montgomery thirty, in the same manner and under the same ty as the number of fourteen hundred are directed to be raised by this act, and the gover council shall appoint such officers as they may think proper and necessary to command such re and the first five hundred and thirty-one men which are raised shall be incorporated into a re and forthwith sent forward to join the army under the commander in chief.

Counties accountable, &c.

XIII. AND BE IT ENACTED, That each county shall be accountable and rated in any fut portionment of men to be raised by this state for any deficiency in making up its proportion men directed to be raised by this act.

CHAP. XI.

Passed 5th of July, 1780.

An ACT to revive actions and process in the court of appeal enable any one judge to adjourn the said court, and to direc oath of the judges in case of appeals from the court of chan Lib. TBH. No. 1. fol. 259.

Preamble.

WHEREAS the court of appeals was adjourned to the third Tuesday of the present m June, at which day, by some accident, a sufficient number of the judges to hold the sai did not meet, whereby the actions and process in the said court were discontinued;

Actions, &c. continued, &c.

II. BE IT ENACTED, *by the General Assembly of Maryland*, That every action, process and p ing, depending in the said court on the said third Tuesday in June, shall be and are hereby and continued until a court of appeals, which is hereby directed to be held on Monday the day of September next, and on the said day every action, process and proceeding, shall stand in the same state and condition, to all intents and purposes, as the same were in on the sai Tuesday in June; and the said court of appeals, to be held on the said fourth day of Septemb proceed to hear and determine each and every of the said actions, in the same manner that court might have legally done at the aforesaid third Tuesday of June, any discontinuance or continuance of any of the said actions, process or proceedings, notwithstanding; and any heard and determined at the said court, the judges thereof may continue until the first Tue October next.

Proviso.

* Chapter 7.

III. PROVIDED ALWAYS, That nothing in this act contained shall extend, or be construe tend, in any manner to affect or impeach the act of assembly passed at the last session, entitled act for the relief of Robert Long.

Any one judge may direct process, &c.

IV. AND BE IT ENACTED, That any one of the judges of the said court of appeals sha full power and authority to hold the said court, so far as to direct process, to make rules for p and to rule hearing, or to continue the actions, process and proceedings, in the said court dep and to adjourn the said court until the day appointed by law for the holding the next cou former law to the contrary thereof notwithstanding.

Oath to be taken, &c.

V. AND, whereas on appeals from the court of chancery, the judges should govern themse the law of the land, and the rules of justice, equity and good conscience; BE T ENACTE each of the said judges, before he shall sit as a judge on any appeal from the court of chancer take an oath, that he will do equal right and justice according to law, equity and good con in every case in which he shall act as judge, on any appeal from the court of chancery, free out sale, fully without any denial, and speedily without delay; which oath either of the sai may administer, one to the other, and the clerk of their court shall make an entry of such q tion in the minutes of their proceedings.

CHAP. XII.

An ACT for the relief of those who have and may suffer by the British army. Lib. TBH. fol. 260.

To continue one year, &c. Expired.

CHAP. XIII.

An ACT for the appointment of several collectors in each county, where necessary, and f purposes therein mentioned. Lib. TBH. No. 1. fol. 261.

C

CHAP. XIV.

CT for the regulation of the ſtaple of tobacco. Lib. TBH. No. 1. fol. 262. Paſſed 5th of July, 1780.

continue three years, &c. Continued by November, 1783, ch. 3, for one year, &c. and until the end of the next ſeſſion, by ch. 83. Expired.

CHAP. XV.

CT concerning nonjurors. Lib. TBH. No. 1. fol. 289.

CHAP. XVI.

CT to prevent frauds in commerce, and to direct the duty of naval-officers. Lib. TBH. 1. fol. 289.

continue three years, &c. Further continued for three years, &c. by November, 1783, ch. 30, which continuing act, ſo far regards this act, was repealed by 1784, ch. 79.

CHAP. XVII.

CT to continue the act of aſſembly, entitled, (a) An act to prohibit for a limitted time the ortation of wheat, flour, rye, Indian corn, rice, bread, beef, pork, bacon, live ſtock, peas, s, oats, and other victual, and for other purpoſes. Lib. TBH. No. 1. fol. 297.

(a) November, 1779, ch. 16, continued till the 10th day of September then next. Expired.

CHAP. XVIII.

CT for the relief of certain nonjurors. Lib. TBH. No. 1. fol. 298.

CHAP. XIX.

CT to enable Conrod Theodore Wederſtrandt to draw orders as therein mentioned. Lib. H. No. 1. fol. 300.

CHAP. XX.

CT to direct the recording and to give effect to a deed made by Philip Read and Anne his , of Saint-Mary's county, to George Medley. Lib. TBH. No. 1. fol. 301. A Private Act.

CHAP. XXI.

CT to procure a ſupply of ſalt meat for the uſe of the army. Lib. TBH. No. 1. fol. 302.

CHAP. XXII.

CT to encourage the raiſing a volunteer troop of light-horſe in Baltimore-town, and each ty of this ſtate. Lib. TBH. No. 1. fol. 304.

CHAP. XXIII.

T, entitled, A ſupplement to the act * to procure recruits to complete the battalions of this in the ſervice of the United States, and to raiſe an additional regiment, if neceſſary. Lib. H. No. 1. fol. 305. * Chapter 10.

CHAP. XXIV.

ACT to enable the treaſurer of the weſtern ſhore to draw and bills of exchange, and for an emiſſion of bills of credit, if ceſſary. Lib. TBH. No. 1. fol. 307.

T ENACTED, *by the General Aſſembly of Maryland*, That the treaſurer of the weſtern ſhore ſhall, d he is hereby authoriſed and directed, on behalf of the ſtate, to draw bills of exchange on rs Oſgood Hanbury, Sylvanus Grove and James Ruſſell, truſtees of this ſtate reſiding in Lon- d on William Carmichael, Edmund Jenings, Joſhua Johnſon, Jonathan Williams and Richard Lloyd, Eſquires, or either of them, appointed truſtees by the act for calling out of circula- rtain bills of credit emitted by act of aſſembly, payable in London, at forty days ſight, for not exceeding thirty-five thouſand pounds ſterling; and the ſaid treaſurer may, and he is authoriſed and directed to ſell his bills drawn as aforeſaid, at any time within thirty days e paſſing of this act, to the amount of thirty thouſand pounds ſterling, for ſpecie or continen- ey, not drawing any ſet of bills for leſs than twenty pounds ſterling, or ſelling for continental at any time for leſs than forty-five for one on the ſterling money, turned into currency at the e of one hundred and ſixty-ſix pounds thirteen ſhillings and four-pence currency for one hun- unds ſterling, and the continental money ariſing therefrom he ſhall exchange for the new bills mitted, if ſuch new bills are in the treaſury to be exchanged, or he ſhall pay the money re- or the ſale of bills to the order of the governor and council. Treaſurer to draw bills of exchange, &c.

CHAP. XXIV.

II. AND, whereas the forces of this ſtate have ſuffered greatly for the want of the uſual ſupplies of neceſſaries, which cannot be procured within the ſtate, but at the moſt exorbita ruinous prices; BE IT ENACTED, That the ſaid treaſurer ſhall draw his bills, to the amount

To draw bills for purchaſing arms, &c.

thouſand pounds ſterling, to ſuch perſon or perſons as the governor and council may direct, purpoſe of purchaſing, in Europe or the Weſt-Indies, arms and ammunition, cloathing and and other neceſſaries, for our officers and ſoldiers, and ſalt for the uſe of the public; and the nor and the council are authoriſed and requeſted to import, or cauſe to be imported, the a aforeſaid, for the uſes aforeſaid.

III. AND, whereas the ſaid Oſgood Hanbury, Sylvanus Grove and James Ruſſell, may re neglect to act, or may proteſt the ſaid bills, or the government of Great-Britain may preve payment of the bills drawn in purſuance of this act, and juſtice requires that the purchaſers caſe ſhould be fully indemnified; BE IT ENACTED, That if any bills of exchange drawn in vi this act ſhall be proteſted or not paid, the drawee, endorſee, owner or poſſeſſor thereof, ſhall titled to receive the amount of the ſum expreſſed in ſuch bill in ſpecie, or in currency to th thereof in bills of credit, with an intereſt or damage at the rate of fifteen *per cent.* on the ſum for, and the coſt or charges of proteſt.

Poſſeſſors to receive ſpecie, &c.

IV. AND BE IT ENACTED, That if any bills drawn in virtue of this act ſhall be proteſted paid, the ſaid Oſgood Hanbury, Sylvanus Grove and James Ruſſell, ſtill having the ſaid ban in their care and management, or not having delivered the ſame to the truſtee or truſtees app by an act of this ſtate for calling out of circulation certain bills of credit emitted by act of a all property within this ſtate belonging to either of the ſaid truſtees, Oſgood Hanbury, S Grove and James Ruſſell, or to Henry Harford, Eſquire, or the legal repreſentatives of t Frederick lord Baltimore, or ſo much thereof as may be neceſſary, ſhall be anſwerable for an to the payment of the ſaid bills, with the damages aforeſaid and charges of proteſt, and any endorſee, owner or poſſeſſor, of any ſuch bill proteſted or not paid, on producing ſuch pro any, and on making oath or affirmation before any juſtice of the peace, (which oath or affir ſhall be endorſed on the bill,) that the ſaid bill hath been tranſmitted to Great-Britain, and h been paid or in any manner ſatisfied, or that the ſame hath been tranſmitted to Europe fo tiation, and a regular negotiation of the ſame hath been prevented by the Britiſh governme filing the ſaid bill and proteſt, if any, and oath, with the clerk of the general or any county ſhall be entitled to an immediate attachment againſt any lands, goods, chattels and effects, this ſtate, belonging to the ſaid Oſgood Hanbury, Sylvanus Grove, James Ruſſell, Henry H Eſquire, or the legal repreſentatives of the late Frederick lord Baltimore, and thereupon th of the county, to whom ſuch attachment ſhall be directed, or any of his deputies, may an with all expedition, attach and take into his poſſeſſion any ſuch lands, goods, chattels or effe will fully pay and diſcharge the money for which the attachment ſhall iſſue, in ſpecie, or th thereof in bills of credit, and the coſts, and ſhall cauſe the lands or chattels attached to be ap by two reputable perſons, (and in caſe of their difference a third perſon to be called in by riff,) on oath, in ſpecie, or the value thereof in bills of credit, one appraiſer to be named ſheriff and the other by the party or his agent, and if the party or his agent refuſe or neglect minate, then both appraiſers to be named by the ſheriff, and make his return of execution attachment, expreſſing the thing attached and to whom belonging, to the next general or court, who ſhall condemn any land, goods, chattels or effects, ſo attached, and belonging to Oſgood Hanbury, Sylvanus Grove, James Ruſſell, Henry Harford, Eſquire, or the legal repr tives of the late Frederick lord Baltimore, and ſhall award execution thereof to be made *facias*; and the ſheriff, on the receipt of ſuch writ, or any of his deputies, ſhall forthwith land, goods, chattels or effects, in his poſſeſſion, at public ſale, (giving three weeks notice ſale of land, and one week notice of the ſale of goods, chattels or effects, by advertiſement at the place of holding the county court for his county, and at the churches and other public for ſpecie, or the value thereof in bills of credit, and ſhall pay the money for which the *fier* ſhall iſſue, in ſpecie, or in paper money of the value as aforeſaid, with the coſts, to the pe whoſe name the writ iſſued, or his attorney in fact or law, or legal repreſentative if dead, a make his return to the next general or county court; and in caſe any perſon ſhall claim prop any lands, tenements, goods or chattels, which may be attached as aforeſaid, the court befor ſuch attachment ſhall be returned ſhall determine the ſame in a ſummary way, and ſuch cou inſpect ſuch returns, and ſee that juſtice is done.

If bills are not paid, property to be ſold, &c.

Proviſo.

V. PROVIDED ALWAYS, AND BE IT ENACTED, That if any land or effects will not ſell at praiſement, or more, they ſhall not be ſold, but remain in the hands of the ſheriff for want of

ſhall be ſo returned to the court, unleſs the party, or his agent, will receive the land or effects at appraiſement, in which caſe the ſheriff ſhall convey and deliver the ſame to the party, or his , and make his return accordingly.

If ſtock is delivered, property not to be confiſcated, &c.

. AND BE IT ENACTED, If the ſaid truſtees, Oſgood Hanbury, Sylvanus Grove and James ll, or either of them, have delivered or ſhall deliver the ſaid bank ſtock to the truſtees, or any f them, appointed by the act of this ſtate to receive the ſame, or ſhall pay the bills drawn in e of this act, that in ſuch caſe the value of ſo much of their property within this ſtate as they pay, ſhall not at any time hereafter be taken or confiſcated for the uſe of this ſtate, for any but the ſame ſhall be preſerved, and delivered to them or their factors or agents.

Bills of credit may be printed. &c.

I. AND, In caſe the bills directed as aforeſaid to be ſold ſhall not be diſpoſed of within thirty from the paſſing of this act, then and in ſuch caſe, BE IT ENACTED, That it ſhall and may be for the governor and council, and they are hereby authoriſed and requeſted, to cauſe bills of , of the denomination of dollars, to the amount and value of the balance of the ſaid thirty nd pounds ſterling, (eſtimating each dollar at the rate and of the value of four ſhillings and nce ſterling,) to be printed and ſtruck, with all convenient ſpeed, under the care and direction h two perſons as they ſhall appoint, in the manner and form following, to wit: "This bill ——— ſhall entitle the bearer hereof to receive ſpecie, or bills of exchange, at the rate of ſhillings and ſix-pence ſterling per dollar for the ſaid bill, with an intereſt of five *per cent.* acding to an act of aſſembly of the ſtate of Maryland, made the eighth day of June, ſeventeen hund and eighty;" and the ſaid bills of credit ſhall be ſtruck on ſuch plates, and printed with ſuch s and marks to prevent counterfeits, as the governor and council ſhall direct; and the number nomination of the ſaid bills ſhall be aſcertained and determined by the governor and council, e printer (and all his apprentices and ſervants,) employed in the printing of the ſaid bills, verally firſt take an oath, faithfully and honeſtly to perform their duty, and that they will not lly print or ſtamp a greater number of blank bills, or of any other denomination, than directed governor and council, except only ſuch ſheets as may be blotted, unfair or imperfect, in the g or ſtriking thereof, and unfit for uſe, which blotted, unfair or imperfect ſheets, ſhall be imly deſtroyed.

In preſence of a ſupervifor, &c.

I. AND BE IT ENACTED, That the printer ſhall not, by himſelf, his ſervants, or any other employed, print or ſtrike, ſtitch or bind, the ſaid bills, or any of them, but in the preſence of both the perſons appointed ſupervifors, and in every intermiſſion of the work, the ſupervifors afely and ſecurely lock up the preſs and ſtamps with which the work ſhall be performed, and preſſions which ſhall be then made, in the room in which the printing and binding ſhall be done, e keys of ſuch room ſhall keep in their poſſeſſion; and when all the ſaid bills ſhall be ſtruck, ates ſhall immediately be delivered by the printer to the treaſurer of the weſtern ſhore, to be ſafely kept; and the ſaid ſupervifors ſhall, from time to time, as the ſaid bills ſhall be printnck, ſtitched and bound, deliver the ſame to the treaſurer of the weſtern ſhore, to be by him ed out to the ſigners in ſuch quantity as he ſhall think proper.

Signers to be appointed, &c.

AND BE IT ENACTED, That the governor and the council may appoint any number of perot exceeding ſix, to be ſigners of the ſaid bills, and each bill ſhall be numbered and ſigned by two of the ſaid perſons, and afterwards returned to the treaſurer, and each ſigner ſhall be at the rate of twelve ſhillings and ſix-pence for every thouſand bills by him numbered and payable in the ſaid bills of credit.

Bills to be redeemed, &c.

AND BE IT ENACTED, That the ſaid bills of credit ſhall be redeemed on or before the firſt day , in the year ſeventeen hundred and eighty-ſix, in ſpecie, or by bills of exchange payable in at forty days ſight, and this general aſſembly pledge the faith of this ſtate for the redemption ſaid bills, on or before the ſaid firſt day of May, in the year ſeventeen hundred and eighty-

Stock, &c. liable, &c.

. AND, as a ſpecific fund, IT IS ENACTED, that the ſtock in the bank of England, or the money from the ſale of the ſame, if ſold in virtue of the act for calling out of circulation certain credit emitted by act of aſſembly, or if that cannot be had, that ſo much of the property this ſtate belonging to any ſubject of Great-Britain as may be neceſſary, ſhall be liable and able, and is hereby pledged to the holders or poſſeſſors of the ſaid bills, for the redemption of within the time and agreeable to this act.

CHAP. XXIV. Subject to order.

XII. AND BE IT ENACTED, That the ſaid bills of credit ſhall be ſubject to the order of t vernor and council, to be laid out in the purchaſe of proviſions, or for other public purpoſes.

A legal tender, &c.

* Chapter 8.

XIII. AND BE IT ENACTED, That the ſaid bills, if iſſued, ſhall be a legal tender for all rents, contracts and demands, in the ſame manner and under the ſame regulations that the credit to be emitted in virtue of an act, entitled, * An act for ſinking the quota required by c of this ſtate of the bills of credit emitted by congreſs, are made a legal tender.

CHAP. XXV.

Paſſed 5th of July, 1780.

An ACT to procure an extra ſupply of proviſions of the bread kind, alſo waggons and hor the uſe of the continental army. Lib. TBH. No. 1. fol. 311.

CHAP. XXVI.

An ACT to expedite the raiſing an additional battalion of regulars. Lib. TBH. No. 1. fol.

CHAP. XXVII.

* Chapter 25.

A Supplement to the act * to procure an extra ſupply of proviſions of the bread kind, alſo w and horſes, for the uſe of the continental army. Lib. TBH. No. 1. fol. 316.

CHAP. XXVIII.

An ACT relating to loans in ſpecie, tenders for debts and cont in future, and the eſtabliſhment of a bank for public purp Lib. TBH. No. 1. fol. 317.

Contracts, &c. ſhall be paid, &c.

BE IT ENACTED, *by the General Aſſembly of Maryland*, That all debts or promiſes hereafte tracted or made for gold or ſilver actually and *bonâ fide* lent, and ſo expreſſed in any bond or other inſtrument in writing, ſhall be paid in gold or ſilver, according to the contract and the ing of the parties, any law to the contrary hereof notwithſtanding.

Proviſo.

II. PROVIDED ALWAYS, That the creditor, at the time of the loan, or within three months after, ſhall, on the bond, note, or other writing, endorſe and ſign, in the preſence of one or t the witneſſes to the contract, that the bond, note, or other writing, was taken for ſpecie lent

Proviſo.

III. AND PROVIDED ALSO, That the creditor, in caſe of difference about the conſideration make oath, (or affirmation,) that the bond, note, or other writing, was taken for ſpecie actua *bonâ fide* lent, and for no other account or conſideration, and for default of ſuch endorſement, oath or affirmation, before ſuit brought againſt the debtor, his executor or adminiſtrator, ſuch note, or other writing, ſhall be diſcharged in bills of credit emitted by the act for ſinking the required by congreſs of this ſtate of the bills of credit emitted by congreſs, and the want endorſement or oath or affirmation may be given in evidence on the general iſſue.

Bills not to be a legal tender, &c.

* Chapter 9.

IV. AND BE IT ENACTED, That the bills of credit iſſued by congreſs and emitted by acts of bly and reſolves of conventions, and made a legal tender in all caſes by the act of aſſembly pa February ſeſſion, ſeventeen hundred and ſeventy-ſeven, * ſhall not be a tender or payment debt, promiſe, contract or agreement, created or made after the paſſing of this act, (unleſs by ment of the parties,) any thing in the ſaid act, or any other law, to the contrary hereof no ſtanding.

Part of an act repealed.

V. AND BE IT ENACTED, That ſuch part of the ſaid act, which impoſes a penalty on perſ fuſing to ſell goods, manufactures, commodities, merchandiſe or proviſion, for a leſs price or ſilver than for bills of credit, ſhall be and is hereby repealed.

Bonds not to be put in ſuit, &c.

VI. AND BE IT ENACTED, That no public bond due to the loan-office ſhall hereafter be put for non-payment either of principal or intereſt, without the directions of the governor and c or general aſſembly, any thing in any former law to the contrary notwithſtanding, and that a already commenced on ſuch bonds ſhall be diſcontinued.

Perſons requeſted to ſubſcribe, &c.

VII. AND, whereas many citizens of this ſtate would pledge their property and credit eſtabliſhment of a bank, for the purpoſe of procuring proviſions and other ſupplies for the a this ſtate would become ſecurity for their indemnification and repayment; BE IT ENACTED, T patriotic and virtuous citizens of this ſtate be requeſted to ſubſcribe and to pledge their proper credit for the eſtabliſhment of a bank, for the expreſs and ſole purpoſe of procuring proviſio

neceſſary ſupplies for the army, to any amount not exceeding one hundred and fifty thouſand
currency, payable in gold and ſilver.

III. AND BE IT ENACTED, That any number of perſons may ſubſcribe to the erecting a bank, And may erect a bank, &c.
execute or give their mortgages, bonds, or other ſecurities, to directors by them to be appoint-
perſon ſubſcribing leſs than two hundred pounds to have a vote in any queſtion relative to
ſineſs of the bank.

I. AND BE IT ENACTED, That the directors of the bank ſhall be authoriſed to borrow money on Directors to borrow money, &c.
redit of the bank for one year, or any ſhorter period, and to give their notes in writing for the
y lent, bearing an intereſt at the rate of ſix *per cent. per annum*, and the directors may, from
to time, call on the ſubſcribers to the bank for ſuch part of their ſubſcription as may be neceſ-
and iſſue their note, bearing intereſt as aforeſaid, for the money received; and the directors
n to conduct the buſineſs of the bank, may employ ſuch aſſiſtants or clerks as they may think
ary, and ſhall keep full and fair accounts of all their tranſactions, and a regiſter of all notes by
iſſued, and their accounts and proceedings ſhall be open at proper hours to the inſpection of
ubſcriber.

. AND BE IT ENACTED, That the directors of the bank may employ one or more perſons to pur- And employ perſons, &c.
proviſions and other neceſſaries, as the governor and council may inform the directors of the
is wanting for the army, and the perſon or perſons appointed by the directors ſhall be anſwer-
to them for their conduct.

. AND BE IT ENACTED, That the directors of the bank, their aſſiſtants and clerks, and perſons To be paid, &c.
em authoriſed to purchaſe proviſions or other neceſſaries for the army, ſhall be paid a reaſon-
compenſation for their time and trouble.

II. AND BE IT ENACTED, That this ſtate pledge their faith and honour to the ſubſcribers to State pledge their faith.
ank, to pay them any ſum of money by them ſubſcribed and advanced, in ſpecie, with intereſt,
o pay the charges attending the tranſacting the buſineſs of the bank, and the purchaſe of pro-
s and other neceſſaries for the army.

III. AND BE IT ENACTED, That the directors of the bank, if required, lay a fair ſtate of their Directors to account, &c.
nts and proceedings before the general aſſembly.

N. B. No bank was eſtabliſhed under this act.

CHAP. XXIX.

ACT for the payment of the journal of accounts. Lib. TBH. No. 1. fol. 319. Paſſed 5th of July, 1780.

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a SESSION of the GENERAL ASSEMBLY of MARYLAND, gun and held at the CITY of ANNAPOLIS, on Tueſday, the 7th of October, in the year of our Lord 1780, and ended the d day of February, 1781, the following laws were enacted.

THOMAS SIM LEE, ESQUIRE, GOVERNOR.

CHAP. I.

ACT for the adjournment and continuance of ſeveral of the county courts within this ſtate. Paſſed 2d of Feb. 1780.
. TBH. No. 1. fol. 320.

CHAP. II.

ACT for the adjournment and continuance of the general court of the weſtern ſhore, and the
al county courts therein mentioned. Lib. TBH. No. 1. fol. 321.

CHAP.

CHAP. III.

Passed 2d of Feb. 1781. An ACT to make valid the proceedings of the deputy-ſheriff of Worceſter county, after the of the late ſheriff. Lib. TBH. No. 1. fol. 322.

CHAP. IV.

An ACT to empower the preſent ſheriff of Worceſter county to collect the balance of the five tax and county rate not collected by the late ſheriff. Lib. TBH. No. 1. fol. 322.

CHAP. V.

An ACT for calling out of circulation the quota of this ſtate of bills of credit iſſued by congreſs, and the bills of credit emi by acts of aſſembly under the old government, and by the reſo of convention. Lib. TBH. No. 1. fol. 323.

Preamble. WHEREAS congreſs, on the eighteenth day of March laſt, recommended to the ſeveral to bring into the continental treaſury, by taxes or otherwiſe, their monthly quotas of million of dollars, from the firſt day of January, ſeventeen hundred and eighty, to the firſt April, ſeventeen hundred and eighty-one, incluſive, as apportioned by the reſolution of the ſe day of October in the preceding year, and to provide that ſilver and gold ſhould be received i ment of the ſaid quotas, at the rate of one Spaniſh dollar in lieu of forty dollars of the ſaid b ſued by congreſs: And whereas the general aſſembly of this ſtate, from the peculiar ſituati extreme exigency of public affairs, were of opinion, that it was expedient to adopt the ſaid r mendation, and to comply with and carry the ſame into execution as far as poſſible, but that impracticable to call in, by taxes, within the ſaid time limitted, the ſum required by congreſ to make proviſion, by taxes, for proſecuting the war; and therefore, to induce the poſſeſſors ſaid bills voluntarily to bring in and exchange the ſame for the new bills, by an act paſſed la ſeſſion, did propoſe and offer to give the holders of the ſaid bills the ſix tenths of the new bi the ſaid reſolve and plan of congreſs intended to be reſerved for the uſe of this ſtate: And w the holders of the ſaid bills have not hitherto accepted the above offer of the general aſſembl there has been only the ſum of one hundred and fifteen thouſand two hundred and ſixty-ſix and ſixty ninetieths brought in and exchanged agreeable to the ſaid propoſal of the general aſſe And whereas congreſs, by their reſolve of the twenty-ſixth day of Auguſt laſt, did earneſtly r mend to the ſeveral ſtates to take the moſt ſpeedy and effectual meaſures in their power for dr in their reſpective quotas of the continental bills of credit, to be deſtroyed, either by tax to b lected immediately, or by exchanging for them new bills, to be emitted purſuant to the act tenth day of March laſt, at a rate not leſs than forty of the former for one of the latter, ſo th whole of the ſaid new bills may be iſſued: And whereas conſiderable ſums of money were e by acts of aſſembly under the old government, and by reſolves of conventions, and the preſe neral aſſembly are of opinion, that it is expedient and neceſſary, from the extreme exigency o lic affairs, and the great depreciation of the aforeſaid bills of credit, and to ſupport the v the new bills, and to place our finances on a certain and permanent footing, and to enable th to provide her proportion of men, money, proviſions, and other ſupplies, for proſecuting the p juſt and neceſſary war, to call in by exchange, in as ſhort a time as poſſible, the quota requi congreſs of this ſtate of the bills of credit iſſued by congreſs, and the bills of credit emitted b of aſſembly under the old government, and by reſolves of the conventions, and are of opinion the exchange ſhould be eſtabliſhed at a rate of one dollar of the new bills for every forty of the old bills brought in to the commiſſioner of the continental loan-office in this ſtate to changed; therefore,

Bills not to paſs, &c. II. BE IT ENACTED, *by the General Aſſembly of Maryland*, That after the twentieth day of next, no bills of credit iſſued by congreſs, or acts of aſſembly during the old government, or re of convention, ſhall, within this ſtate, be deemed paper money, or paſs current, or be in equity a tender or payment for any debt, covenant, promiſe, contract or agreement.

To be exchanged, &c. III. AND BE IT ENACTED, That any ſubject of this ſtate, *bonâ fide* the poſſeſſor and propri any bills of credit iſſued by congreſs, or acts of aſſembly under the old government, or reſo convention, or *bonâ fide* truſtee for any ſubject of this ſtate, for the purpoſe of exchanging t bills of credit, may, at any time hereafter, on or before the firſt day of March next, bring in continental loan-office in this ſtate any of the ſaid bills of credit, and ſhall be entitled to r for every forty dollars ſo brought in, one dollar of the new bills (emitted agreeable to the reſ co

ſs of the eighteenth day of March laſt, and the act (a) for ſinking the quota required by con- of this ſtate of the bills of credit emitted by congreſs,) and in the ſame proportion for any er quantity; and any perſon, after the ſaid firſt day of March, and before the firſt day of April may bring into the ſaid loan-office any of the ſaid bills of credit, and be entitled to exchange at the rate aforeſaid; and the commiſſioner ſhall receive no more of the ſaid continental bills dit into his office, than, with the quantity exchanged in virtue of the ſaid act, will amount twenty million five hundred and forty thouſand dollars; and after the ſaid firſt day of April no bills of credit iſſued by congreſs, or acts of aſſembly under the old government, or reſolves vention, ſhall be received or exchanged by the ſaid commiſſioner, nor will this ſtate ever here- redeem, or in any manner be anſwerable for the redemption or ſinking of any of the ſaid bills dit; and one ſixth part of the new bills exchanged as aforeſaid ſhall be ſunk annually after the y of January next, in the manner directed by the ſaid act; provided always, that if ſo much continental money ſhall not be brought in to the commiſſioner to be exchanged, as that the e of the new money, after appropriating four tenths to the uſe of congreſs, ſhall not be ſuffi- to redeem the act of aſſembly and convention money which may be brought in in virtue of this hat then the commiſſioners ſhall give a certificate for the aſſembly and convention money ſo t in, to be redeemed as ſoon as there ſhall be new money ſigned in the office to be appropriated s ſtate.

(a) June, 1780, ch. 8.

AND BE IT ENACTED, That the continental commiſſioner ſhall keep an account of the names perſons who may bring in bills to be exchanged, and the ſums each perſon may bring in, and adminiſter, to any perſon who may bring in any continental bills to be exchanged, on or before ſt day of March next, an oath, (or affirmation if a quaker, menoniſt or tunker,) that ſuch per- a ſubject of this ſtate, and *bonâ fide* the poſſeſſor and proprietor of the bills by him offered to be anged, or that he is *bonâ fide* truſtee for ſome ſubject of this ſtate for the purpoſe of exchanging lls by him offered; and the ſaid commiſſioner ſhall grant a certificate, if required, to any per- o may bring money as truſtee to be exchanged. Account to be kept, &c.

AND, for the convenience of the ſubjects of the ſtate, inhabitants of the eaſtern ſhore, BE IT ED, That the continental commiſſioner ſhall ſend to the treaſurer of the eaſtern ſhore one hun- nd fifty thouſand dollars of the ſaid new bills, ſigned by him, which ſaid bills ſhall be there by commiſſioners to be appointed by the governor and council, and ſhall be, by the treaſurer eaſtern ſhore, exchanged for any continental bills of credit, or bills emitted by acts of aſſem- der the old government, or reſolves of convention, brought in by any inhabitants of the eaſtern or truſtee as aforeſaid, agreeable to the directions of this act, on or before the fifteenth day rch next; and if any balance ſhould remain in the hands of the ſaid treaſurer on that day, he with all convenient diſpatch, thereafter tranſmit the ſame to the ſaid continental commiſſioner, ſo an account of the ſums by him received, and the perſons from whom received. Money to be ſent to the eaſtern ſhore, &c.

AND, for the ſecurity of the ſaid continental commiſſioner, BE IT ENACTED, That the ſaid ll be ſent to the treaſurer of the eaſtern ſhore under ſuch guard as the governor and council irect, and this ſtate will indemnify the ſaid commiſſioner againſt any loſs of the ſaid bills which appen by ſuch removal; and the ſaid treaſurer ſhall adminiſter the oath or affirmation, as afore- o any perſon requiring him to exchange any of the ſaid continental bills of credit. Under guard, &c.

AND BE IT ENACTED, That four tenths of the ſaid new bills ſhall be ſubject to the order of ſs, and ſix tenths of the ſaid new bills ſhall be applied to exchanging our quota of the conti- l money, and the money iſſued by acts of aſſembly under the old government, or reſolves of ntion; and ſo much of the ſix tenths of the new continental bills as ſhall remain after ex- ng our quota of the continental bills of credit, and our money iſſued under the reſolves of the ntion and acts of aſſembly under the old government, ſhall be retained by the treaſurer of the n ſhore in his office, ſubject to be exchanged for the bills of credit emitted under the act (b) to e the treaſurer of the weſtern ſhore to draw and ſell bills of exchange, and for an emiſſion of credit, if neceſſary, to any perſon or perſons applying for the ſame. How the new bills are to be applied, &c.

(b) June, 1780, ch. 24.

AND BE IT ENACTED, That ſo many of the laſt mentioned bills of credit which may be t in by exchange, and any money which may hereafter be paid into the treaſury, for or on ac- of bonds due from the inhabitants of this ſtate, ſhall be retained by the treaſurer in his office, the ſum to be emitted in virtue of this act ſhall not, with the ſum iſſued under the aforeſaid act Bills brought in to be retained, &c

CHAP V.

act to enable the treaſurer of the weſtern ſhore to draw and ſell bills of exchange, and for an e of bills of credit, if neceſſary, exceed the ſum recommended by congreſs to be iſſued.

Debts may be diſcharged in new bills, &c.

IX. AND BE IT ENACTED, That where any debt, covenant, contract, promiſe or agreemen leſs for gold or ſilver, or ſterling money, or unleſs the contract was made and intended to p the payment of any of the ſaid bills, has been created or made between the firſt of Sept ſeventeen hundred and ſeventy-ſix, and the twentieth of April, ſeventeen hundred and ſe nine, the debtor, or perſon bound in ſuch debt, covenant, promiſe, contract or agreement, at any time hereafter, pay or diſcharge the ſame in the ſaid new bills of credit, or the bills e by the act of aſſembly, entitled, An act to enable the treaſurer of the weſtern ſhore to dra ſell bills of exchange, and for an emiſſion of bills of credit, if neceſſary, by paying in ſuch in the caſe of money lent, two thirds of the real value at the time of the loan, and in contracts upon ſales of property, by paying two thirds of the real value of the money time the ſame was made payable, ſo that the loſs of the creditor and riſk of the debtor m as equally on each as the nature of the caſe will admit; and in caſe of difference betwe parties, ſuch value to be aſcertained, on application of either, by perſons to be appointed county court where the debtor reſides, whoſe determination ſhall be final; and where any covenant, contract, promiſe or agreement, unleſs for gold or ſilver, or ſterling money, or unle contract was made and intended to prevent the payment of any of the ſaid bills, hath been m entered into on the ſaid twentieth of April, ſeventeen hundred and ſeventy-nine, and be that time and the twelfth of June laſt, or that hath been made ſince the ſaid twelfth of June fo tinental currency, or for convention money, or bills iſſued by the acts of aſſembly under t government, the debtor, or perſon bound in every ſuch debt, covenant, contract, promiſe or ment, may at any time hereafter diſcharge the ſame, by paying or tendering one dollar of th new bills, or bills emitted by the ſaid act, for every forty dollars due or payable; and if th new bills, or bills emitted as aforeſaid, ſhould hereafter depreciate and become of leſs valu they now are, ſuch depreciation ſhall be accounted for and paid by the debtor, or perſon ten payment of one dollar of the new for every forty dollars of the old money aforeſaid; pr always, that if any perſon hath refuſed or neglected to pay money lent after a demand made any perſon hath broke his contract, by neglecting to make payment for the property ſold at th limitted, or if any perſon hath neglected to pay his debt at the day appointed for payment, a time of payment was expreſsly agreed and underſtood to be part of the contract, (the commo of paſſing bonds with a day of payment, in which neither party conſidered the day to be part contract, excepted,) and to diſcover the intention in caſe of ſpecialty or otherwiſe, either part give indifferent teſtimony, or on convenient notice examine the other on oath, nothing i act ſhall prevent the perſon injured by ſuch breach of contract from ſuing for and reco equal to the loſs ſuſtained by ſuch breach, ſuch damages not to exceed the real valne of the contracted, to be paid at the time of breach, with intereſt, and ſuch damages may be laid a feſſed in the new money, and ſo much thereof given or recovered as may be equal to the value debt or damages as aforeſaid, with intereſt.

Debts hereafter made, how to be diſcharged, &c.

X. AND BE IT ENACTED, That all debts, promiſes, contracts, covenants and agreements, after made by writing or parole for gold or ſilver, or paper money, ſhall be paid, diſcharged cuted, agreeable to the bond, bill, note, or other inſtrument in writing, or the parole, prom agreement, and the intent and meaning of the parties, any law to the contrary hereof notwith ing; and where any debt, promiſe or contract, made before the firſt day of September, one th ſeven hundred and ſeventy-ſix, has been renewed ſince that day, and any bond, bill, note, or inſtrument of writing, given or executed for the ſame, or where any debt, covenant, promiſe tract or agreement, has been *bonâ fide* created or made, ſince the firſt day of September, one th ſeven hundred and ſeventy-ſix, for gold, ſilver or ſterling, in ſuch caſes the bills of credit iſſ congreſs, or emitted by any acts of aſſembly under the old government, or reſolves of conve ſhall not (after the paſſing of this act,) be a tender or payment in law or equity for any ſuch covenant, promiſe, contract or agreement.

Bills not to be a tender, &c.

XI. AND BE IT ENACTED, That the bills of credit iſſued by congreſs, or emitted by any aſſembly under the old government, or reſolve of convention, ſhall not, after the paſſing th be a tender or payment in law or equity, for any debt, covenant, promiſe, contract or agre created or made before the firſt day of September, one thouſand ſeven hundred and ſeventy-f leſs where the creditor has not become a ſubject and reſident of this or ſome one of the States ſince the ſaid firſt day of September, ſeventeen hundred and ſeventy-ſix, and in ſuch c debtor of ſuch creditor, or of his aſſignee, (who has not become a ſubject and reſident of this o

f the United States, and who hath not had an attorney in fact, acknowledging himself as such e purpose of receiving debts always since that time, and constantly residing within this state the said first day of September, seventeen hundred and seventy-six,) and the executor or ad- rator of such debtor may, and he is hereby authorised, on making oath (or affirmation, if a , menonist or tunker,) to be lodged with the treasurer, that he hath received, for debts due the first of September, seventeen hundred and seventy-six, to him or the person to whom he , executor, administrator or representative, to the amount by him in such oath or affirmation ed, and that he hath not paid for debts due before that time, by himself or the person to whom heir, executor, administrator or representative, above the sum in such oath or affirmation speci- or on making oath or affirmation, to be lodged with the treasurer, that before the twentieth f April, seventeen hundred and seventy-nine, he sold property for the purpose of paying debts , or the person to whom he is heir, executor, administrator or representative, contracted be- the first day of September, seventeen hundred and seventy-six, and that he constantly kept the by him received, or so much of the same, or other money, as he shall specify in his oath or ation, or that, before the said twentieth day of April, he sold property for the purpose of pay- is debts as aforesaid, and that he left the money in the hands of the purchaser, where it re- , for the purpose of paying his debts as aforesaid, such debtor may pay, to either of the trea- of this state, the amount of the money by him received and kept as aforesaid, or left as afore- or the balance by him received above what he hath paid as aforesaid, or any part thereof, in rge of the debt due to such creditor, in the said continental, convention, or bills of credit d by acts of assembly under the old government, aforesaid, on or before the twentieth of h next, or in the said new bills of credit, or bills emitted under the act to enable the treasurer e western shore to draw and sell bills of exchange, and for an emission of bills of credit, if ary, at the rate of one dollar of the same bills for every forty dollars due and payable at any before the first day of July next; and such payment shall be deemed in law a payment of such or his assignee, and the treasurer's receipt shall be good evidence in the courts of law and of the payment of such debt, and shall be allowed sufficient in the courts of law and equity, the orphans courts, on the administration of the estates of deceased persons, and the treasu- all exchange any continental, convention, and bills emitted by acts under the old government, so received for new bills, at the rate of one for forty, and the same, together with all new and bills emitted by the said act of assembly, which may be paid for the purpose aforesaid, shall in his office, liable to the attachment of creditors, and subject to the future direction of the l assembly.

II. AND BE IT ENACTED, That where any executor, administrator, guardian, trustee or factor, ceived any of the said bills of credit, it shall and may be lawful for such executor, administra- guardian, trustee or factor, and he is hereby authorised, to pay and discharge to the amount of oney by him actually and *bonâ fide* received, in the new bills of credit, at the said rate of one of the said new bills for every forty dollars by him received; provided always, that if the ex- , administrator, guardian, trustee or factor, hath not paid away the money by him received in foresaid bills of credit, in a course of administration, or otherwise expended it in pursuance of rust reposed in him, or kept the same by him, but hath converted the same to his own use, in manner, except by lending the same, then such executor, administrator, guardian, trustee or shall be accountable, on oath or affirmation, for the value of the money so received at the the same was as aforesaid converted to his own use.

Executor, &c. may pay in new bills, &c.

III. AND BE IT ENACTED, That the bills of credit emitted by the act of assembly to enable the rer of the western shore to draw and sell bills of exchange, and for an emission of bills of cre- necessary, (a) and the act for sinking the quota required by congress of this state of the bills dit emitted by congress (b) and the bills of credit to be emitted in virtue of this act, shall be er for all debts contracted before the first day of September, seventeen hundred and seventy- nd all debts for gold, silver or sterling, contracted since that day and before the twelfth day of st, at the passing current value of the said bills of credit at the time of tender, and not other- that value to be ascertained by a jury.

New bills a tender for debts, &c.

(a) June, 1780, ch. 24. (b) June, 1780, ch. 8.

IV. AND BE IT ENACTED, That all that space of time from the first day of July, one thousand hundred and seventy-seven, to the passing of this act, shall not be reckoned or considered as of the time limitted by law for bringing or prosecuting any action or suit for recovery of any due by judgment, bond, bill, note, account, contract or otherwise, and this act and the special may be given in evidence on the general replication.

Time not to be reckoned, &c.

CHAP. V.

Suits not to be commenced, &c.

XV. AND BE IT ENACTED, That no ſuit ſhall be commenced or proſecuted by any creditor his debtor, for a debt contracted before the firſt day of September, ſeventeen hundred and ſe fix, or after that day and before the twelfth day of June laſt, for gold, ſilver or ſterling, in le two years from the paſſing this act, unleſs the debtor ſhall neglect or refuſe to pay the inter nually due on ſuch debt, in gold or ſilver, or new bills at the value, in thirty days after a d made, or hath removed or ſhall be about to remove himſelf or his effects out of this ſtate, refuſe to renew his obligation, with ſecurities, if required by his creditors; provided alway this act ſhall not be extended to actions to be proſecuted againſt guardians, executors, adminiſ or truſtees, and that the ſaid time ſhall not be taken or held as part of the time limitted by proſecuting ſuch ſuits.

Rate of exchange allowed, &c.

XVI. AND BE IT ENACTED, That the commiſſioner of the continental loan-office ſhall no for continental bills of credit any other rate of exchange than one dollar of the new bills fo dollars continental currency, and ſo much of the act, entitled, (a) An act for ſinking the qu quired by congreſs of this ſtate of the bills of credit emitted by congreſs, as directs a differe of exchange, ſhall be and is hereby repealed and made void.

(a) June, 1780, ch. 8.

CHAP. VI.

Paſſed 2d of Feb. 1781.

An ACT to enable the truſtees for the poor of Frederick county to rent out the poor-houſe, a ply the rent towards the ſupport of the poor of that county. Lib. TBH. No. 1. fol. 332. pealed by April, 1783, ch. 27.

CHAP. VII.

An ACT for the appointment of viſitors for Queen-Anne's co free-ſchool. Lib. TBH. No. 1. fol. 333.

Preamble.

WHEREAS great inconvenience has ariſen to the inhabitants of Queen-Anne's county the late viſitors of ſaid ſchool neglecting, through inattention or otherwiſe, to take, and ſubſcribe, the oath of fidelity to this ſtate directed by the conſtitution, and the oath direc the act, entitled, An act to puniſh certain crimes and miſdemeanors, and to prevent the gro toryiſm, whereby they were diſqualified to act as viſitors: And whereas it is the deſire of the ral aſſembly to promote the good government of ſaid ſchool, and to encourage literature by laudable exertion;

Viſitors appointed, &c.

II. BE IT ENACTED, *by the General Aſſembly of Maryland*, That Meſſieurs Edward Tilg Thomas Wright, Richard Tilghman Earle, Solomon Wright, William Hemſley, James Ear Charles Blake, be and are hereby nominated and appointed viſitors of ſaid ſchool, and are h veſted with all the powers which the viſitors of ſaid ſchool heretofore legally had or exerciſed.

Proviſo.

III. PROVIDED NEVERTHELESS, AND BE IT ENACTED, That no perſon appointed viſitor as ſaid ſhall act as ſuch before he ſhall ſubſcribe a declaration of his belief in the chriſtian religio take the oaths required by the conſtitution and laws of this ſtate, which any one of the ſaid v may adminiſter to the others, any law, uſage or cuſtom, to the contrary notwithſtanding.

CHAP. VIII.

An ACT for the further adjournment of Saint-Mary's and Prince-George's county courts. TBH. No. 1. fol. 334.

CHAP. IX.

A Supplement to the act, entitled, (b) An act for the relief of thoſe who have and may ſu the Britiſh army. Lib. TBH. No. 1. fol. 335.

(b) June, 1780, ch. 12.

CHAP. X.

An ACT to enable the ſheriffs of this ſtate to take bail bond certain caſes. Lib. TBH. No. 1. fol. 336.

Preamble.

WHEREAS the ſheriffs of this ſtate have not heretofore been empowered to take bail bo perſons taken on criminal writs, whereby much inconvenience is derived to the ſheriffs, trouble to the civil magiſtrate, and much delay to the adminiſtration of juſtice;

Sheriffs may take bail, &c.

II. BE IT THEREFORE ENACTED, *by the General Aſſembly of Maryland*, That from and aft firſt day of April next, it ſhall and may be lawful for all and every of the ſheriffs of this ſta

deputies, to take bail bonds of all persons taken by them on any criminal writ, for any offence an felony, with security, if the said sheriffs or their deputies shall think it necessary; and that id sheriffs and their deputies shall be obliged, on serving any criminal writ as aforesaid, to take bond of the criminal, and his or her security, if security is judged necessary as aforesaid, in a ot exceeding one hundred pounds, to be paid to the state of Maryland, conditioned, that the riminal shall appear in court on the day the said writ is returnable, attend the court from day , and not depart therefrom without leave of the said court; and in case the said criminal shall e considered by the sheriff or his deputy sufficient for the sum aforesaid, and cannot find sufficient y, to be approved of as aforesaid, that then the said sheriff or his deputy shall take the said al before a magistrate to be dealt with agreeable to the law now in force; and that the said shall return the said bail bonds to the court of his respective county, on the first day of the urt to which the said writ is returnable.

In case of failure writ to issue, &c.

AND BE IT ENACTED, That where there is a failure of the performance of the condition of il bonds aforesaid, a writ shall issue for the recovery of the penalty, and a declaration shall be and a copy delivered to the sheriff, to be served on the delinquent, with the writ, who shall be d to go to trial the same court, provided the writ be served eight days previous to the return, ithout any imparlance; and in case of the defendant refusing to plead, the court may give nt, except in extraordinary cases, at their discretion.

Sheriffs liable for neglect, &c.

AND BE IT ENACTED, That every of the sheriffs of this state, who do not pursue, by him- his deputies, the directions of this act, by taking bail bonds of the criminal and his security, pproved of as sufficient by the court to whom such bond shall be returned, or taking the said al before a magistrate, to be dealt with according to the directions of the law, shall be liable proceeded against in the same manner as he would have been, on his default in not bringing in y according to his return, if this act had not been made.

CHAP. XI.

Passed 2d of Feb. 1781.

CT to extend the time and to enforce the collection of the taxes in several of the counties in this state, and for other purposes. Lib. TBH. No. 1. fol. 337.

CHAP. XII.

ACT to continue the acts of assembly therein mentioned. Lib. TBH. No. 1. fol. 339.

Several acts continued.

IT ENACTED, *by the General Assembly of Maryland*, That an act of assembly, entitled, An act for e relief of such persons as cannot find surety for their appearance to testify as a witness against rson arrested, accused or prosecuted, for any criminal matter, made at a session of assembly be- d held at the city of Annapolis on the third day of June, *anno domini* seventeen hundred and o, (a) be and is hereby continued, and shall remain and be in full force for and during the seven years, and to the end of the next session of assembly which shall happen after the end said seven years; that one other act of assembly, entitled, An act to enable the several and ve county clerks within this province to remove some of the county records and papers from blic offices, made at a session of assembly begun and held at the city of Annapolis the tenth May, seventeen hundred and forty-eight, (b) be and is hereby continued, and shall be and re- in full force for and during the term of seven years, and to the end of the next session of assem- ich shall happen after the end of the said seven years; that one other act of assembly, entitled, for the more effectual punishment of negroes and other slaves, and for taking away the benefit y from certain offenders, and a supplementary act to the act, entitled, An act to prevent the ous meeting and other irregularities of negroes and other slaves, and directing the manner of laves, made at a session of assembly begun and held at the city of Annapolis the fifteenth day , seventeen hundred and fifty-one, (c) be and is hereby continued, and shall be and remain in e for and during the term of seven years, and to the end of the next session of assembly which ppen after the end of the said seven years; that one other act of assembly, entitled, An act e the testimony of convicted persons legal against convicted persons, made at a session of as- begun and held at the city of Annapolis the fifteenth day of May, seventeen hundred and , (d) be and is hereby continued, and shall be and remain in full force for and during the seven years, and to the end of the next session of assembly which shall happen after the end said seven years; that one other act of assembly, entitled, An act for the more effectual pu- t of certain offenders, and for the taking from them the benefit of clergy, made at a session bly begun and held at the city of Annapolis the twenty-sixth day of April, in the year se- venteen

(a) 1752, ch. 13. (b) 1748, ch. 7. (c) 1751, ch. 14. (d) 1751, ch. 11.

CHAP. XII.

venteen hundred and thirty-ſeven, (e) be and is hereby continued, and ſhall be and remain
force until the end of the next ſeſſion of aſſembly; that one other act of aſſembly, entitled,
relating to guardians and orphans, made at a ſeſſion of aſſembly begun and held at the city of
polis on the twenty-eighth day of March, in the year ſeventeen hundred and fifty-eight, (f)
is hereby continued, and ſhall be and remain in full force for and during the term of ſeven
and to the end of the next ſeſſion of aſſembly which ſhall happen after the end of the ſaid
years; that one other act of aſſembly, entitled, An act to exempt perſons appearing at muſter
arreſt in civil caſes, made at a ſeſſion of aſſembly begun and held at the city of Annapolis the
day of May, ſeventeen hundred and forty-eight, (g) be and is hereby continued, and ſhall
remain in full force for and during the term of ſeven years, and to the end of the next ſeſſion
ſembly which ſhall happen after the end of the ſaid ſeven years; that one other act of aſ
entitled, An act for puniſhment of horſe-ſtealers and other offenders, made at a ſeſſion of a
begun and held at the city of Annapolis the firſt day of May, ſeventeen hundred and forty-fo
be and is hereby continued, and ſhall be and remain in full force for and during the term o
years, and to the end of the next ſeſſion of aſſembly which ſhall happen after the end of t
ſeven years; that one other act of aſſembly, entitled, An additional ſupplementary act to t
entitled, An act relating to ſervants and ſlaves, made at a ſeſſion of aſſembly begun and held
city of Annapolis the tenth day of May, ſeventeen hundred and forty-eight, (i) be and is
continued, and ſhall be and remain in full force for and during the term of ſeven years, and
end of the next ſeſſion of aſſembly which ſhall happen after the end of the ſaid ſeven years
one other act of aſſembly, entitled, A ſupplementary act to the act, entitled, An act aſcer
what damages ſhall be allowed upon proteſted bills of exchange, made at a ſeſſion of aſſembly
and held at the city of Annapolis the firſt day of November, ſeventeen hundred and ſixty-fi
be and is hereby continued, and ſhall be and remain in full force for and during the term o
years, and to the end of the next ſeſſion of aſſembly which ſhall happen after the end of t
ſeven years; that one other act of aſſembly, entitled, An act to prevent certain evils and in
niencies attending the ſale of ſtrong liquors and running horſe-races near the yearly meetings
people called Quakers, and to prevent the tumultuous concourſe of negroes and other ſlaves
the ſaid meetings, made at a ſeſſion of aſſembly begun and held at the city of Annapolis on
teenth day of May, ſeventeen hundred and forty-ſeven, (l) and an act, entitled, An act to
and explain an act, entitled, An act to prevent certain evils and inconveniencies attending
of ſtrong liquors and running of horſe-races near the yearly meetings of the people called Q
and to prevent the tumultuous concourſe of negroes and other ſlaves during the ſaid meetings
at a ſeſſion of aſſembly begun and held at the city of Annapolis on the third day of June, ſev
hundred and fifty-two, (m) be and are hereby continued, and ſhall be and remain in full fo
and during the term of ſeven years, and to the end of the next ſeſſion of aſſembly which ſhall
after the end of the ſaid ſeven years; that one other act of aſſembly, entitled, An act for the
regulating attachments, made at a ſeſſion of aſſembly begun and held at the city of Annapolis
fifteenth day of June, ſeventeen hundred and ſeventy-three, (n) be and is hereby continu
ſhall be and remain in full force for and during the term of ſeven years, and to the end of t
ſeſſion of aſſembly which ſhall happen after the end of the ſaid ſeven years; that one othe
aſſembly, entitled, An act concerning eſtates tail, and the juriſdiction of the county courts,
a ſeſſion of aſſembly begun and held at the city of Annapolis on the fifteenth day of June, ſe
hundred and ſeventy-three, (o) be and is hereby continued, and ſhall be and remain in full fo
and during the term of one year, and to the end of the next ſeſſion of aſſembly which ſhall
after the end of the ſaid one year; that one other act of aſſembly, entitled, An act for the
recovery of ſmall debts out of court, made at a ſeſſion of aſſembly begun and held at the city
napolis on the ſixteenth day of June, ſeventeen hundred and ſeventy-ſeven, (p) be and is
continued, and ſhall be and remain in full force for and during the term of one year, and to
of the next ſeſſion of aſſembly which ſhall happen after the end of the ſaid one year; that on
act of aſſembly, entitled, An act for the enlarging the powers of the governor and council,
a ſeſſion of aſſembly begun and held at the city of Annapolis on the eighth day of November,
teen hundred and ſeventy-nine, (q) and a ſupplement to the act, entitled, An act for enlarg
powers of the governor and council, made the ſame ſeſſion, (r) be and are hereby continu
ſhall be and remain in full force until the end of the next ſeſſion of aſſembly; that one othe
aſſembly, entitled, An act to compel the attendance of the members of the general aſſembl
at a ſeſſion of aſſembly begun and held at the city of Annapolis on the twenty-third day of
ſeventeen hundred and eighty, (s) be and is hereby continued, and ſhall be and remain in fu
until the end of the next ſeſſion of aſſembly.

C

(e) 1737, ch. 2. (f) 1758, ch. 4. (g) 1748, ch. 1. (h) 1744, ch. 20. (i) 1748, ch. 19. (k) November, 17
(l) 1747, ch. 17. (m) 1752, ch. 14. (n) June, 1773, ch. 13. (o) June, 1773, ch. 1. (p) June, 17
(q) November, 1779, ch. 19. (r) Ch. 34. (s) March, 1780, ch. 4.

CHAP. XIII.

ACT for the relief of John Needles, of Talbot county, and Richard Clarke, of Saint-Mary's nty, collectors of the tax. Lib. TBH. No. 1. fol. 343. A Private Act. Paſſed 2d of Feb. 1781.

CHAP. XIV.

ACT to prohibit the exportation of Indian corn, wheat, wheat flour, and fleſh proviſions, by for a limitted time. Lib. TBH. No. 1. fol. 344.

continue until the 1ſt of February next; by the act of this ſeſſion, ch. 35, the prohibition was continued, except with re- to Indian corn, until the 1ſt of April. Expired.

CHAP. XV.

ACT for the relief of William Merritt, late collector of the aſſeſſment in Kent county. Lib. H. No. 1. fol. 346. A Private Act.

CHAP. XVI.

ACT for the ſpeedy conveyance of public letters and packets, and for other purpoſes. Lib. BH. No. 1. fol. 348.

o continue one year, &c. Further continued for one year, &c. by November, 1781, ch. 7, and for three years by November, , ch. 32. Expired.

CHAP. XVII.

ACT to eſtabliſh the allowance of witneſſes and fees to conſtables. Lib. TBH. No. 1. fol. 354.

E IT ENACTED, *by the General Aſſembly of Maryland*, That every witneſs attending the general court ſhall be allowed eighty pounds of tobacco for every day ſuch witneſs ſhall attend, beſides rant charges; that each witneſs attending the county, orphans, or any other court, ſhall be ed forty pounds of tobacco per day, beſides itinerant charges, where they come from other ties; and that each conſtable ſhall be allowed twenty pounds of tobacco for every warrant, and ounds of tobacco for every ſummons by him ſerved. Allowance to witneſſes, &c.

AND BE IT ENACTED, That the ſaid allowance ſhall be paid and diſcharged in tobacco, or ſpe- valuing Spaniſh dollars at ſeven ſhillings and ſix-pence each, and gold and other ſilver in propor- at the rate of twelve ſhillings and ſix-pence per hundred, or in new bills at their paſſing value, y of them; which ſaid value ſhall be aſcertained and fixed by the judge or juſtices before whom allowance ſhall accrue and become due. How to be paid.

e act of 1796, ch. 33, eſtabliſhed an allowance of eleven ſhillings and three-pence in the general court, and ſeven ſhillings ix-pence in the county courts and orphans courts. The act of 1797, ch. 94, eſtabliſhes the ſame allowance. In each of acts is a clauſe repealing all laws before made by which any other allowance was directed, under which repealing clauſes act falls.

CHAP. XVIII.

ACT to eſtabliſh the allowance of juſtices and jurymen. Lib. TBH. No. 1. fol. 355.

E IT ENACTED, *by the General Aſſembly of Maryland*, That from and after this preſent ſeſſion of aſſembly, each juſtice attending the county or orphans court ſhall be allowed eighty pounds of co per day, for every day ſuch juſtice ſhall attend the ſaid courts reſpectively. Allowance to juſtices, &c.

AND BE IT ENACTED, That each juryman attending the general court ſhall be allowed eighty s of tobacco for every day he ſhall attend, beſides itinerant charges; that each juryman attend- e county, orphan, or any other court, ſhall be allowed forty pounds of tobacco for every day all attend the ſaid courts reſpectively. To jurymen.

AND BE IT ENACTED, That the ſaid allowance ſhall be paid and diſcharged in tobacco, or , valuing Spaniſh dollars at ſeven ſhillings and ſix-pence, and gold and other ſilver in propor- at the rate of twelve ſhillings and ſix-pence per hundred, or in new bills at their paſſing value. How to be paid.

e act of 1793, ch. 19, eſtabliſhed an allowance to jurymen of twelve ſhillings and ſix-pence in the general court, and ſeven gs and ſix-pence in the county courts, and the act of 1797, ch. 94, eſtabliſhed an allowance of eighteen ſhillings and nine- in the general court, and eleven ſhillings and three-pence in the county courts and orphans courts. In each of theſe acts is e repealing all laws before made by which any other allowance was directed, under which repealing clauſes this act falls.

CHAP. XIX.

ACT to revive actions and proceſs in the court of appeals. Lib. TBH. No. 1. fol. 356.

CHAP.

CHAP. XX.

Passed 2d of Feb. 1781.

An ACT to encourage the importation and manufacturing of ſalt within this ſtate. Lib. No. 1. fol. 356.

CHAP. XXI.

An ACT to prevent frauds and abuſes in the collection of pu taxes, and to extend the time of payment of the tobacco Lib. TBH. No. 1. fol. 358.

Preamble.

WHEREAS it is repreſented to this preſent general aſſembly, that divers frauds and have been practiſed by the ſheriffs and collectors of the public taxes, by buying up ac count certificates for proviſions and other certificates allowed by law to be paid in diſcharge o taxes, and paying them into the public treaſury inſtead of the money received from the peopl alſo by buying up tobacco, and that of indifferent quality, to pay the tobacco aſſeſſment f people who may not have paid the ſame by the laſt day of September, and exacting money from at the rate of ninety pounds per hundred, a price greatly exceeding the current market pric remedy whereof,

After notice, ſheriffs to account, &c.

II. BE IT ENACTED, *by the General Aſſembly of Maryland*, That from and immediately after of this act ſhall be given to the treaſurers of the weſtern and eaſtern ſhores, all ſheriffs and coll of the public aſſeſſment, or other public taxes, ſhall be obliged to account on oath, to be admi ed by the ſaid treaſurers, or either of them, for all monies received from the inhabitants ſtate, or others reſiding out of the ſtate, having property therein, and ſhall not have any allo for certificates above mentioned, unleſs ſuch ſheriff or collector will declare on oath, to be ad tered as aforeſaid, that the ſaid certificates were honeſtly and *bonâ fide* received from the pe his county, or others liable to pay taxes therein, for monies due or to become due for taxes fr perſon or perſons on whoſe account the ſame was received; and ſuch ſheriff or collector ſh have any allowance for tobacco paid or offered to be paid by him, unleſs he will make oath tha tobacco hath been honeſtly and *bonâ fide* paid him by the people of his county, or others liable taxes therein, for tobacco due from ſuch perſon or perſons on account of the tobacco tax; an ſheriff or collector ſwearing falſely in the premiſes contained in any clauſe of this act, ſhall be to the ſame proſecution and puniſhment as in other caſes of wilful and corrupt perjury, and ſh cur all the diſabilities attending ſuch infamous crime.

Time extended, &c.

III. AND BE IT ENACTED, That the time of payment of the tobacco tax ſhall be and is h extended until the twentieth day of April next; and all perſons having already paid money in ſuch tax, where the ſame hath not been accounted for in money by the ſheriff or collector rec the ſame, may hereafter, on or before the time above ſpecified, pay tobacco in full diſcharge th and ſhall have credit with the ſheriff or collector in his account for public taxes due or to becom for ſuch money ſo received; and where perſons have property liable to taxation in ſeveral cou ſuch perſon or perſons may pay their whole tobacco tax in the county wherein they reſide, collector of the county in which he reſides, unleſs called upon for the ſame before the tent of April next by the collector of the county where ſuch perſon does not reſide, and in which ſuc perty lies, and ſuch payment ſhall be a full diſcharge if made in time; provided always, that bacco notes ſhall hereafter be received by any ſheriff or collector, where the ſame is more anci point of date than the firſt day of December, in the year ſeventeen hundred and ſeventy-nine if any ſheriff or collector, who may have received money in lieu of tobacco, ſhall be dead, or other manner out of the office of ſheriff or collector, and ſhall not have accounted as aforeſai tobacco may be paid as above mentioned to the ſheriff or collector for the time being, and the ſhall be repaid by the ſheriff or collector receiving the ſame, his executors and adminiſtrators; ſuch tobacco be paid by the perſon or perſons heretofore owing the ſame by the time above ſpe all bonds or other contracts for money given by the inhabitants of this ſtate, to the ſheriff or tor paying or undertaking to pay the ſame tobacco tax, ſhall be abſolutely void and of none any law or uſage to the contrary notwithſtanding.

Bonds, &c. to be void, &c.

IV. WHEREAS many evil diſpoſed citizens of this ſtate have purchaſed up tobacco and pa ſame to the ſheriffs or collectors of this ſtate, for many of the citizens of this ſtate, in diſcha their tobacco tax, without being requeſted ſo to do, and have taken bills, bonds or notes, payment of greater ſums of money than the tobaccoes paid to the ſaid ſheriff amounted to market price at the time of taking the ſaid bill, bond or note; BE IT ENACTED, That all bills, or notes given as aforeſaid, ſhall be void and of none effect, to recover any greater ſums of

he market price of the tobacco actually paid to the ſheriff or collector at the time of the pay- CHAP. XXI.

AND BE IT ENACTED, That in all caſes where ſheriffs or collectors may have purchaſed up Sheriffs to take back certain notes, &c.
notes of a date preceding the year ſeventeen hundred and ſeventy-nine, or where the to- ſo purchaſed may be ſtolen out of the warehouſe, or damaged, or of ſuch quality as not to paſs ion on a review, ſuch ſheriff or collector ſhall be and is hereby obliged to take back ſuch note s, and ſhall have no credit for the ſame; and in caſe of diſpute the proof ſhall lie on the or collector, and if the ſheriff or collector cannot or will not make appear of whom he re- ſuch notes, the ſame ſhall and may be returned to him, his executors or adminiſtrators, and they ſhall be liable for the ſame, and their office bonds ſhall and may be put in ſuit to compel nt.

CHAP. XXII.

CT for emitting bills of credit to the value of five thouſand four hundred pounds ſterling, for Paſſed 2d of Feb. 1781.
convenience of change, and iſſuing them in exchange for the bills of equal value now in circu- n. Lib. TBH. No. 1. fol. 361.

See June, 1780, ch. 24.

CHAP. XXIII.

ACT to continue an act, entitled, An act for the regulation of ficers fees, and for other purpoſes. Lib. TBH. No. 1. fol. 364.

IT ENACTED, *by the General Aſſembly of Maryland*, That an act, entitled, An act for the regu- Part of an act continued.
tion of officers fees, paſſed at a ſeſſion of aſſembly begun and held at the city of Annapolis on hth day of November, ſeventeen hundred and ſeventy-nine, * except the ſeventeenth, twen- * Chapter 25.
and twenty-ſecond clauſes thereof, ſhall be and is hereby continued, and ſhall be and remain force and virtue for and during the term of one year, and unto the end of the next ſeſſion of y which ſhall happen thereafter.

AND BE IT ENACTED, That the ſeveral county juſtices in their reſpective counties, at the time Allowance to county clerks, &c.
ing their county charges, ſhall and are hereby empowered and directed to allow to the clerk r reſpective courts, in their county levies, in full ſatisfaction for warrants to the overſeers of hways, conſtables warrants, aſſiſting in laying and apportioning the county levy, and all other s to be done for their reſpective counties, and by order of the juſtices for the time being, the ng ſums, viz. For Saint-Mary's, Kent, Anne-Arundel, Charles, Somerſet, Dorcheſter, Bal- Cæcil, Prince-George's, Talbot, Queen-Anne's, Worceſter, Frederick and Waſhington s, ten pounds, in Spaniſh dollars, at the rate of ſeven ſhillings and ſix-pence per dollar, or the hereof in paper money; for Calvert, Harford, Caroline and Montgomery counties, ſeven ten ſhillings like money; and all the reſpective county clerks within this ſtate for the time hall, and they are hereby obliged to do all the ſaid ſervices, and ſuch others, for the uſe of pective counties, as ſhall be required by the juſtices of the peace for each reſpective county, me to time, and at all times hereafter, for and in conſideration of the ſaid allowance.

AND BE IT ENACTED, That all fines, forfeitures and penalties, impoſed or inflicted, and ſet How fines, &c. are to be diſcharged, &c.
cco, by any act of aſſembly made before the fourth day of July, ſeventeen hundred and ſeven- and now ſubſiſting and in force, and all fees and allowances to officers or others, given by any s, and all fines, forfeitures and penalties, fees and allowances, to be impoſed, created, in- given or made, in tobacco, by this or any act of aſſembly hereafter to be made or be in force the continuance of this act, ſhall be paid and diſcharged in tobacco, at the rate of twelve and ſix-pence per hundred, or in ſpecie, valuing Spaniſh dollars at ſeven ſhillings and ſix- and gold and other ſilver in proportion, or in new bills at the paſſing value, at the election of ion charged therewith; which ſaid value ſhall be aſcertained and fixed at each term by the whom ſuch fines, penalties and forfeitures, ſhall be impoſed, and where ſuch fees and allow- all accrue and become due, and ſo on until paid and diſcharged.

This act to continue one year, and until the end of the next ſeſſion of aſſembly which ſhall Duration.
thereafter.

See the principal act for the continuances, which are to 30th October, 1805, &c.

CHAP. XXIV.

T for the relief of certain nonjurors. Lib. TBH. No. 1. fol. 366.

CHAP.

CHAP. XXV.

Paſſed 2d of Feb. 1781.

An ACT to raiſe the ſupplies for the year ſeventeen hundred and eighty-one. Lib. TBH. fol. 369.

CHAP. XXVI.

An ACT to authoriſe the county courts to impoſe an aſſeſſment to defray their county c Lib. TBH. No. 1. fol. 400.

This act was to continue ſix years, &c. and was continued by 1786, ch. 35, for ſeven years, &c. By the act for adminiſtration of juſtice, 1790, ch. 33, ſection 2, the juſtices of the peace were directed to meet and lay their county as heretofore. The act of 1790, ch. 33, was continued by 1793, ch. 23, for three years, &c. but by the act of 179 ſection 10, for the eſtabliſhment and regulation of the levy courts in the ſeveral counties in this ſtate, ſo much of 1790, ch. 33, as directs the proceedings of the juſtices of the peace, in reſpect to the laying the county aſſeſſment, is re

CHAP. XXVII.

An ACT to embody a number of ſelect militia, and for immediately putting this ſtate in a poſture of defence. Lib. TBH. No. 1. fol. 403.

CHAP. XXVIII.

An ACT to enable naval-officers to grant regiſters for veſſels. Lib. TBH. No. 1. fol. 408.

CHAP. XXIX.

An ACT to explain and to enforce the acts therein mentioned. Lib. TBH. No. 1. fol. 408.

CHAP. XXX.

An ACT to regulate auctions. Lib. TBH. No. 1. fol. 411.

To continue one year, &c. Repealed by May, 1781, ch. 8.

CHAP. XXXI.

An ACT to authoriſe the lieutenants of the militia to appoint field-days, and to direct the p and mode of recovery of militia fines in ſpecie, or the value. Lib. TBH. No. 1. fol. 414.

To continue till the end of the next ſeſſion. Continued for one year, &c. by May, 1781, ch. 29. Expired.

CHAP. XXXII.

An ACT to explain that part of the act (a) for ſinking the quota required by congreſs of t of the bills of credit emitted by congreſs, which relates to the duty impoſed on ordinary l Lib. TBH. No. 1. fol. 416.

(a) June, 1780, ch. 8.

CHAP. XXXIII.

An ACT to draught the non-commiſſioned officers and privates of the regiment extraordin the battalions of the quota of this ſtate, and to recal the commiſſioned officers of the ſa ment. Lib. TBH. No. 1. fol. 417.

CHAP. XXXIV.

An ACT for the defence of the bay. Lib. TBH. No. 1. fol.

A Supplement May, 1781, ch. 34.

Governor, &c. to purchaſe barges, &c.

BE IT ENACTED, *by the General Aſſembly of Maryland*, That the governor and the council thoriſed and requeſted to purchaſe (or cauſe to be built) and fitted with ſails and o manned as ſoon as poſſible, four large barges or row-boats, capable of carrying ſwivels and five men at leaſt; and that the governor and the council be alſo authoriſed and requeſted to (or cauſe to be built) as ſoon as poſſible, one galley, capable of carrying two eighteen and pounders, with ſwivels, and one ſloop or ſchooner, capable of carrying ten four pounders, cure them to be well found, fitted, armed and manned.

And appoint officers, &c.

II. AND BE IT ENACTED, That the governor and the council be authoriſed and requeſt point and commiſſion a proper number of brave, experienced and able ſeamen and officers, mand the ſaid galley and ſloop or ſchooner, and to allow them ſuch pay in ſpecie, payabl money at the exchange when due, and ſuch cloathing, proviſions and other privileges, as think proper.

Bounty, &c. to ſeamen, &c.

III. AND BE IT ENACTED, That every ſeaman entering on board either of the ſaid ve ſigning articles to remain in the ſervice of this ſtate for one year, ſhall receive a bounty o dollars of the new emiſſion, and the pay of three pounds per calendar month in ſpecie, P

…id; and every waterman, or perſon uſed to bay-craft, entering on board either of the ſaid …, and ſigning articles to remain in the ſervice for one year, ſhall receive a bounty of ten dol… of the new emiſſion, and the pay of two pounds per calendar month in ſpecie, payable as afore… and the ſaid officers, and ſeamen and watermen, ſhall be ſubject to the laſt articles eſtabliſhed …greſs for the government of the navy of the United States.

Marines to be raiſed, &c.

…AND BE IT ENACTED, That a company of one hundred men be immediately raiſed to ſerve as …e on board the ſaid galley and ſloop or ſchooner, and occaſionally on board the ſaid barges or …ts; and that the governor and the council be authoriſed and requeſted to appoint and com… one captain and two lieutenants to command the ſaid company of marines, and to direct ſuch … to procure by enliſtment, as ſoon as poſſible, the ſaid number of healthy able bodied men, in… two ſergeants and two corporals, to ſerve in ſuch company for the term of three years, un…oner diſcharged; and each recruit ſhall receive a bounty of forty dollars of the new emiſſion, …e pay of forty-five ſhillings per calendar month in ſpecie, payable in the new emiſſion of the

Pay, &c. of officers of marines.

…AND BE IT ENACTED, That the officers of the ſaid company ſhall receive the ſame pay in ſpecie …le as aforeſaid) and rations, as officers of the ſame rank, commanding marines in the ſervice …United States, are entitled to receive.

A troop of horſe, &c. to be raiſed.

…AND, for the protection of the inhabitants of Worceſter and Somerſet counties, BE IT …ED, That a troop of horſe, to conſiſt of one captain-lieutenant and cornet, and twenty-four …ns, and one company of infantry, to conſiſt of one captain-lieutenant and enſign, and thirty …mmiſſioned officers and privates, be immediately raiſed to ſerve within this ſtate for one year; …at the governor and the council be authoriſed and requeſted to appoint and commiſſion ex…ced and ſpirited officers to command the ſaid troop and company.

Governor, &c. to appoint, &c.

…AND BE IT ENACTED, That the governor and the council be authoriſed and requeſted to ap… …ome diſcreet and ſkilful perſon to purchaſe thirty good ſtrong and ſerviceable horſes for the …the ſaid troop.

Non-commiſſioned officers, &c. to receive a preſent, &c.

…AND, as it is expected that young men of reputation will enter as privates in the ſaid troop …mpany, BE IT ENACTED, That every non-commiſſioned officer and private ſhall receive, as a …t from this ſtate, forty dollars new money, and a complete ſuit of cloaths, to wit: A coat, …at and breeches, two ſhirts, two pair of ſtockings, one hat or cap, one pair of ſhoes or boots, …e ſame pay in ſpecie (payable as aforeſaid) and rations, as privates in the dragoon or infantry …e of the United States, and the ſaid troop and company ſhall be ſubject to the articles of war …abliſhed by congreſs; and the officers of the ſaid troop ſhall receive the ſame pay in ſpecie …le as aforeſaid) and rations, as regular officers of the ſame rank in the ſervice of the United …are entitled to receive.

A fort to be built, &c.

…AND BE IT ENACTED, That the governor and the council be authoriſed and requeſted to order …fort, of not leſs than ten nine pounders, with one or two block-houſes, be erected and built …all convenient ſpeed) on Drum Point, at the mouth of the river Patuxent, or at ſuch other …on the ſaid river as they may, after ſurvey thereof, think more proper, for the protection of …de of this ſtate, and the ſecurity of the inhabitants on the ſaid river.

A company of artillery to be raiſed, &c.

…AND BE IT ENACTED, That a company of artillery, to conſiſt of one captain and one captain-…ant, and ſixty-five non-commiſſioned officers and matroſſes, be immediately raiſed to ſerve …the ſtate for three years, unleſs ſooner diſcharged; and that the governor and the council be …ſed and requeſted to appoint and commiſſion brave and experienced officers of the ſupernu… officers of this ſtate, if they will accept, to command the ſaid company, and each recruit …eceive a bounty of forty dollars of the new emiſſion, and the pay of forty-five ſhillings per …r month in ſpecie, payable as aforeſaid, and a bounty of a complete ſuit of cloaths as afore…and the officers ſhall receive the ſame pay in ſpecie (payable as aforeſaid) and rations, as re…ficers of the ſame rank in the ſervice of the United States are entitled to receive.

Recruits to be paſſed, &c.

…AND BE IT ENACTED, That every recruit, procured in virtue of this act, ſhall be carried be… …e lieutenant of the county where ſuch recruit ſhall enliſt, to be paſſed by him as able bodied …for the ſervice; and it is hereby declared to be the duty of the lieutenant carefully to in…ch recruit, and to inquire his age, receiving none under ſixteen or above fifty, and to examine

CHAP. XXXIV.

his ability and health of body, taking care to paſs none but ſuch as are perfect in all their lim ſight, able of body, in ſound health, and without ruptures, or any other viſible infirmities; a lieutenant paſſing any recruits ſhall return a liſt thereof to the governor and the council.

Recruits to be ſupplied, &c.

XII. AND BE IT ENACTED, That the governor and the council be authoriſed and requeſted rect proper proviſion to be ſupplied and furniſhed for the ſaid recruits.

Inhabitants to be removed, &c.

XIII. AND, whereas it is repreſented to this general aſſembly, that many of the inhabit the iſlands in this ſtate below Barren Iſland have received the enemy's cruiſers, and aided the proviſions and intelligence; BE IT ENACTED, That the governor and the council be authori requeſted to take effectual meaſures to remove all the inhabitants of any iſland within this ſt low Hooper's Straits, and between the ſound and the bay, with all their ſtock and other prope ſome part of the main, and to ſeize and ſell all veſſels, boats or canoes, belonging to any of t inhabitants, and ſuch removal ſhall take place before the firſt day of May next.

Perſons not to live on iſlands, &c.

XIV. AND BE IT ENACTED, That it ſhall not be lawful for any perſon to live on any of t iſlands during the preſent war, under penalty of forfeiting all property belonging to them fo any of the ſaid iſlands, and under penalty of being deemed an enliſted ſoldier for the war, if perſon between the age of ſixteen and fifty.

Juſtices to make proviſion, &c.

XV. AND BE IT ENACTED, That the juſtices of Somerſet, Dorcheſter and Worceſter co are hereby directed and required to make ſuitable proviſions for the maintenance and ſuppor perſons removed from the ſaid iſlands, who in the judgment of the ſaid juſtices may ſtand i thereof, and the ſame cauſe to be levied on their reſpective counties, and the expences of ſuch tenance ſhall be by the ſaid juſtices charged to this ſtate, and an account thereof tranſmitted houſe of delegates from time to time, that proviſion may be made for repayment thereof.

Proprietors not to pay aſſeſſment, &c.

XVI. AND BE IT ENACTED, That the proprietors of the ſaid iſlands ſhall not be called on obliged to pay, any aſſeſſment for the ſaid iſlands, or any of them, ſo long as they remain d lated in conſequence of this act.

Veſſels to be ſeized, &c.

XVII. AND BE IT ENACTED, That the governor and the council be authoriſed and reque direct, that any veſſel, boat or canoe, employed by any perſon to paſs to any of the ſaid (unleſs with their leave,) be ſeized, and the ſame ſhall be forfeited and become the property perſon making the ſeizure.

Officers, &c. to be ſupported, &c.

XVIII. AND BE IT ENACTED, That if any officer, ſoldier or marine, ſhall loſe a limb, otherwiſe maimed or hurt, ſo as to be rendered incapable of procuring a livelihood, ſuch ſoldier or marine, ſhall be entitled to receive the ſame proviſion and ſupport as is or ſhall he be eſtabliſhed by this ſtate for its officers and ſoldiers in the ſervice of the United States.

Penalty for perſuading ſeamen, &c. to leave the ſervice, &c.

XIX. AND, to prevent maſters of veſſels and others from enticing any ſeaman, waterman, or matroſs, to leave the ſervice of the ſtate, BE IT ENACTED, That if any perſon ſhall perſ entice any ſeamen, waterman, marine or matroſs, to leave the ſervice of this ſtate, ſuch per conviction thereof in the general or any county court, ſhall forfeit fifty pounds, (payable a ſaid,) one half to the informer, and the other half to the ſtate; and if any maſter or mate veſſel ſhall hire or entertain, or conceal or endeavour to conceal, any ſeaman, waterman, ma matroſs, entered in the ſervice of this ſtate, knowing him to belong to ſuch ſervice, ſuch m mate, on conviction thereof before the governor and the council, or any one of the judges general court, or any two juſtices of the peace, ſhall forfeit twenty pounds, payable as afo and if any ſeaman or other perſon employed on board any veſſel ſhall entertain or conceal, deavour to conceal, any ſeaman, waterman, marine or matroſs, entered in the ſervice of th and knowing him to belong to ſuch ſervice, ſuch perſon, convicted thereof as aforeſaid, ſhall upon be deemed as entered in the ſervice of the ſtate for three years as a ſeaman, waterman, or matroſs, and receive wages as ſuch.

CHAP. XXXV.

Paſſed 2d of Feb. 1781.

An ACT to continue the act prohibiting the export of grain, wheat flour, and fleſh proviſi land, and to permit the exportation of wheat flour and Indian corn by ſea, under certain r ons. Lib. TBH. No. 1. fol. 423.

To continue until the 1ſt of Auguſt next, &c. Expired.

C

CHAP. XXXVI.

ACT to continue the act therein mentioned. Lib. TBH. No. 1. fol. 430.

Passed 2d of Feb. 1781.

An act continued.

IT ENACTED, That the act of assembly, entitled, An act to prevent the exportation of flour, staves and shingles, not merchantable, from the town of Baltimore, in Baltimore county, and to fix the weights of hay and measure of grain, salt, flax-seed and firewood, within the said town, to prevent the exportation of flour not merchantable from Fell's Point, in the said county, made session of assembly begun and held at the city of Annapolis on the second day of October, seven-hundred and seventy-one, shall be and is hereby revived and continued, and shall be and remain force for seven years, and to the end of the next session of assembly which shall happen there-

Proviso.

PROVIDED, That instead of the inspector taking the oaths or affirmations to the late govern- as prescribed by the said act, such inspector of flour, or other officer to be appointed in virtue act, shall take, repeat and subscribe, his belief in the christian religion, the oath of allegiance, the oath of fidelity and support to this state, as prescribed by the constitution and form of go-ment, and the laws of this state.

Fees, &c. to be paid in specie, &c.

AND BE IT ENACTED, That all fees, allowances and fines, under the said act, may be paid discharged in Spanish dollars, at the rate of seven shillings and six-pence each, or in other silver, or new bills of credit, to the value thereof.

the act of 1771, ch. 20, is hereby revived and continued for seven years, &c. and this act is continued by 1790, ch. 59, to October, 1797, &c. See the note under the act of 1771.

CHAP. XXXVII.

ACT to naturalize the sons of the late major-general the baron de Kalb. Lib. TBH. No. 1. fol. 430.

Preamble.

WHEREAS this state is ever desirous of manifesting its veneration and esteem for the memory of those officers who have gallantly fallen in the service of the United States: And whereas represented to this general assembly, that investing the sons of the late major-general the baron Kalb, who nobly sacrificed his life in the cause of America, in the action near Campden, with the and immunities of the natural born subjects of this state, will be considered as a mark of re-and esteem;

Sons, &c. deemed subjects, &c.

BE IT THEREFORE ENACTED, *by the General Assembly of Maryland*, That the sons of the late general the baron de Kalb shall be, and they are hereby deemed, and adjudged and taken to tural born subjects of this state, and shall henceforth be entitled to all the immunities, rights privileges, of natural born subjects of this state; provided that the sons aforesaid, by virtue of shall not be eligible to any civil office in this state, unless they shall have resided in the same year previous to any such election, and shall have the other qualifications required by the tution and form of government.

CHAP. XXXVIII.

ACT to settle and adjust the accounts of the troops of this state in the service of the United States, and for other purposes therein mentioned. Lib. TBH. No. 1. fol. 431.

Supplementary and other acts May, 1781, ch. 20, May, 1781, ch. 35, November, 1781, ch. 26, April, 1782, ch. 33, April, 1782, ch. 28, November, 1782, ch. 33.

Preamble.

WHEREAS from a variety of causes, the United States have not complied with their engage- ments heretofore made with their officers and soldiers, (which has occasioned great and una-ble difficulties and distresses in the service,) to whose virtuous and disinterested exertions is much indebted;

Commissioner appointed, &c.

BE IT THEREFORE ENACTED, *by the General Assembly of Maryland*, That Zephaniah Turner be hereby appointed commissioner, to settle and adjust the pay due to the officers and soldiers of troops of this state, (a) and the said commissioner is hereby empowered and directed, to estimate,

(a) By ch. 44 of this session, recruits therein described were to be entitled to pay, &c. in the same manner as if they had been at the time of passing this act.

CHAP. XXXVIII.

in ſpecie, all ſums of paper money received by the ſaid officers and ſoldiers, on account of th or otherwiſe, agreeable to a ſcale of depreciation herein after mentioned, according to th thereof at the time of the money received; and that all cloathing furniſhed by this ſtate officers and ſoldiers, which were not properly chargeable to the (a) United States, ſhall be d out of their pay, at the value aforeſaid in ſpecie.

(a) By May, 1781, ch. 35, ſection 4, only officers and men allowed by the act of congreſs as part of the quota of were within the intent of this act; and by ſection 7, of that act, the accounts of medical perſons of this ſtate, not a any line of troops, were to be adjuſted.

By November, 1781, ch. 26, ſeveral deſcriptions of officers and men were directed to be ſettled with under this act.

By April, 1782, ch. 33, all officers and ſoldiers of this ſtate in the ſervice on the 10th April, 1780, were to be ſe under this act.

By April, 1783, ch. 28, ſeveral other deſcriptions of officers and ſoldiers were to be ſettled with under this act.

Who is to give certificates, &c.

III. AND BE IT ENACTED, That the ſaid commiſſioner is hereby empowered and directed the officers and ſoldiers aforeſaid, to whom pay as aforeſaid may be found due, after deduct cloathing furniſhed as aforeſaid, one certificate or more, bearing intereſt from the date there ſpecifying the ſum due in ſpecie, ſo that no certificate ſhall be for leſs than one fifth part of due to the perſon to whom the ſame ſhall be given, and that the whole of the certificates g the ſame perſon ſhall amount to the ſum only due to him, which certificate ſhall be paid out part of confiſcated Britiſh property as ſhall be appropriated for that purpoſe; and the commiſ hereby directed to provide printed certificates, in ſuch manner and form as he ſhall judge ne to be by him applied to the uſes and purpoſes aforeſaid.

By May, 1781, ch. 35, the certificates were to bear intereſt from 1ſt Auguſt, 1780.

Not to be tranſferrable, &c.

IV. AND BE IT ENACTED, That in order to prevent the certificates of the non-commiſſio cers and privates aforeſaid from being counterfeited, or becoming objects of ſpeculation, no or aſſignment of the ſame ſhall be good and valid in law or equity, unleſs atteſted by the offic manding the regiment or troops to which ſuch ſoldier ſhall belong.

By November, 1782, ch. 33, ſection 9, ſuch certificates were made aſſignable without any atteſtation or reſtraint.

Commiſſioner to adjuſt the pay of officers, &c.

V. AND BE IT ENACTED, That the ſaid commiſſioner ſhall in like manner ſettle and adjuſt and accounts of all officers and ſoldiers who have fallen or died in the ſervice, and their wid children ſhall be entitled to ſuch certificates, and to all the benefits and advantages thereby to the officers and ſoldiers in the ſaid ſervice.

His oath.

VI. AND BE IT ENACTED, That the ſaid commiſſioner, previous to his entering on the du quired of him by this act, ſhall take the following oath or affirmation, to wit: "I, A. B. d "or affirm (as the caſe may be) that I will well and truly perform all and ſingular the du "quired of me by the act to ſettle and adjuſt the accounts of the troops of this ſtate in the "of the United States, and for other purpoſes therein mentioned, to the beſt of my knowle "abilities, without favour, affection, partiality or reſpect, to any perſon whatſoever;" and commiſſioner is hereby fully authoriſed and directed to ſettle the aforeſaid accounts upon oath mation, which oath or affirmation ſhall be by him adminiſtered.

Aſſembly may call in certificates, &c.

VII. AND BE IT ENACTED, That this or any future aſſembly, notwithſtanding the proviſio as aforeſaid, may, if they think proper, call in all ſuch certificates given and not returned a ſaid, and pay off the ſame in ſpecie or other current money equivalent.

How a vacancy is to be filled.

VIII. AND BE IT ENACTED, That if the ſaid Zephaniah Turner ſhall decline or refuſe to die, in the receſs of the general aſſembly, the governor, with the advice of the council, may a fit and proper perſon to act as commiſſioner to audit and ſettle the pay and accounts of the and ſoldiers aforeſaid, and to hold ſuch office until the meeting of the general aſſembly.

This ſection was repealed by November, 1782, ch. 33, ſection 6.

Scale of depreciation.

IX. AND BE IT ENACTED, That the following ſcale of depreciation ſhall be the rule b the ſaid commiſſioner ſhall be governed in the ſettlement of the accounts againſt the ſaid offic ſoldiers, provided that the ſaid ſcale of depreciation ſhall not hereafter be taken as a prece the payment of public creditors: One thouſand ſeven hundred and ſeventy-ſeven, January half, February one and half, March two, April two and half, May two and half, June two a July three, Auguſt three, September three, October three, November three, December fou thouſand ſeven hundred and ſeventy-eight, January four, February five, March five, April fi five, June four, July four, Auguſt five, September five, October five, November ſix, Decem

thouſand ſeven hundred and ſeventy-nine, January eight, February ten, March ten and half, CHAP. XXXVIII.
ſeventeen, May twenty-four, June twenty, July nineteen, Auguſt twenty, September twenty-
October thirty, November thirty-eight and half, December forty-one and half; one thouſand
hundred and eighty, January forty and an half, February forty-ſeven and an half, March ſixty-
and an half, April ſixty-one and an half, May fifty-nine, June ſixty-one and an half, July ſixty-
and an half.

AND BE IT ENACTED, That the ſaid commiſſioner ſhall be entitled to receive twenty-five Commiſſioner's allowance.
ings *per diem* in real money, or the value, for every day he ſhall attend in the execution of his
in purſuance of this act within the ſtate, and thirty-five ſhillings like money for every day he
attend in purſuance of this act out of the ſtate.

AND, effectually to ſecure the payment of the money due on the ſaid certificates, with in-
thereon at the rate of ſix *per cent. per annum* from the ſaid firſt day of Auguſt laſt, BE IT
ED, That the lands commonly called Talbot's, or New Connought Manor, in Cæcil county, Manors burthened with the payment of money due, &c.
Lady's Manor, in Baltimore, or Baltimore and Harford counties, and Monococy Manor, in Fre-
ct county, being Britiſh property, and ſeized and confiſcated as ſuch, by the act of this preſent
n to ſeize, confiſcate and appropriate, all Britiſh property within this ſtate, ſhall be and are
by ſet apart and burthened and charged with the payment of the money and intereſt aforeſaid
on the ſaid certificates, and the ſame ſhall be raiſed out of the ſaid lands, by ſales thereof, in
manner as the general aſſembly ſhall hereafter direct; and the ſaid certificates ſhall and may be
ived, for the principal and intereſt due thereon, as ſpecie, rating Spaniſh dollars at ſeven ſhil-
and ſix-pence each, in payment for the ſaid lands, or any other Britiſh property to be ſold in
ſtate, except that ſpecially engaged to ſink the new ſtate bills of credit, and ſuch as is or ſhall
ecially engaged for the ſecurity and payment of loans to be made in this ſtate; provided, that
ſe ſo many of the ſaid certificates ſhall be paid in on the ſales of other property, as that the
manors ſhall be greatly more than ſufficient and adequate ſecurity for the reſidue, the general aſ-
bly may apply to any other purpoſes any part of the ſaid manors, leaving amply ſufficient to ſe-
the full payment of the other outſtanding certificates.

AND IT IS HEREBY DECLARED, That it is not the intention of this general aſſembly to diſ- Tenants may purchaſe, &c.
the tenants or ſettlers on the lands aforeſaid, engaged as ſecurity for payment of the certificates
granted in purſuance of this act, but that the tenants or ſettlers ſhall be indulged in the pur-
of the parts they reſpectively occupy or poſſeſs, on one tenth part below their true value, on
following terms of payment, to wit: One ſeventh part to be paid within three months after the
act, and one ſeventh part, with yearly intereſt on the whole that may be due, yearly thereafter,
he whole ſhall be paid.

CHAP. XXXIX.

pplement to the act (a) for the regulation of the ſtaple of tobacco. Lib. TBH. No. 1. fol. 435. Paſſed 2d of Feb. 1781.

(a) June, 1780, ch. 14. Expired with the principal act at the end of the ſeſſion of 1785.

CHAP. XL.

ACT to empower the delegates of this ſtate in congreſs to ſubſcribe and ratify the articles of confederation. Lib. TBH. No. 1. fol. 439.

WHEREAS it hath been ſaid, that the common enemy is encouraged, by this ſtate not acceding Preamble.
to the confederation, to hope that the union of the ſiſter ſtates may be diſſolved, and there-
proſecutes the war in expectation of an event ſo diſgraceful to America, and our friends and
rious ally are impreſſed with an idea, that the common cauſe would be promoted by our formally
ding to the confederation: This general aſſembly, conſcious that this ſtate hath from the com-
ement of the war ſtrenuouſly exerted herſelf in the common cauſe, and fully ſatisfied, that if
rmal confederation was to take place, it is the fixed determination of this ſtate to continue her
tions to the utmoſt, agreeable to the faith pledged in the union, from an earneſt deſire to con-
e the affection of the ſiſter ſtates, to convince all the world of our unalterable reſolution to ſup-
the independence of the United States, and the alliance with his moſt chriſtian majeſty, and to
y for ever any apprehenſion of our friends, or hope in our enemies, of this ſtate being again
to Great-Britain;

II. BE

CHAP. XL. Delegates to ſubſcribe the confederation, &c.

II. BE IT ENACTED, *by the General Aſſembly of Maryland*, That the delegates of this ſtate in congreſs, or any two or three of them, ſhall be and are hereby empowered and required, on behalf of this ſtate, to ſubſcribe the articles of confederation and perpetual union between the ſtates of New-Hampſhire, Maſſachuſetts-Bay, Rhode-Iſland and Providence Plantations, Connecticut, New-York, New-Jerſey, Pennſylvania, Delaware, Maryland, Virginia, North-Carolina, South-Carolina and Georgia, ſigned in the general congreſs of the ſaid ſtates by the honourable Henry Laurens, Eſq. their then preſident, and laid before the legiſlature of this ſtate to be ratified, if approved; and the ſaid articles of confederation and perpetual union, ſo as aforeſaid ſubſcribed, ſhall thence be ratified and become concluſive as to this ſtate, and obligatory thereon; and it is hereby declared that by acceding to the ſaid confederation, this ſtate doth not relinquiſh, or intend to relinquiſh any right or intereſt ſhe hath with the other united or confederated ſtates, to the back country but claims the ſame as fully as was done by the legiſlature of this ſtate in their declaration which ſtands entered on the journals of congreſs, this ſtate relying on the juſtice of the ſeveral ſtates hereafter, as to the ſaid claim made by this ſtate; and it is hereby declared, that no article in the confederation can or ought to bind this or any other ſtate to guaranty any excluſive claim of any particular ſtate to the ſoil of the ſaid back lands, or any ſuch claim of juriſdiction over the ſaid lands, or the inhabitants thereof.

CHAP. XLI.

Paſſed 2d of Feb. 1781.

An ACT to compel the payment of the taxes in Somerſet county. Lib. TBH. No. 1. fol. 440

CHAP. XLII.

An ACT for the building a gaol for the ſafe keeping of the diſaffected and priſoners of war. Lib. TBH. No. 1. fol. 441.

CHAP. XLIII.

An ACT to procure recruits. Lib. TBH. No. 1. fol. 442.

CHAP. XLIV.

A Supplement to the act to procure recruits. Lib. TBH. No. fol. 450.

Draughts may be ſuſpended, &c.

BE IT ENACTED, *by the General Aſſembly of Maryland*, That if cloathing and money can be obtained to encourage and promote the recruiting ſervice, and there is a probability that nearly the number of recruits propoſed by the act aforeſaid to be raiſed can be procured by voluntary enliſtments, the governor and council ſhall have full power and authority, and are hereby requeſted, to order the draught in the ſaid act mentioned to be ſuſpended, either generally, or in ſuch counties as have heretofore exerted themſelves in procuring recruits under the laws of this ſtate, until the meeting of the next general aſſembly.

Perſons re-enliſting entitled to a certificate, &c.

II. AND, whereas many of the non-commiſſioned officers and privates who have ſerved in the quota of this ſtate of the continental army, and who have been diſcharged becauſe their times have expired, may be inclined to enter again into the ſervice; BE IT ENACTED, That in caſe any perſon ſufficient and proper to be paſſed as a recruit, who hath already ſerved one year or more in the continental army, and hath been diſcharged, and ſhall enter as a recruit according to the act of the preſent ſeſſion to procure recruits, ſhall not only be entitled to all the benefits propoſed by the act, but alſo to a certificate for the depreciation of the pay which became due to him whilſt he was in ſervice, between the firſt day of January, ſeventeen hundred and ſeventy-ſeven, and the laſt day of July laſt, as if he was in the quota of this ſtate of the continental army at the time of paſſing the act of the preſent ſeſſion to ſettle and adjuſt the accounts of the troops of this ſtate in the ſervice of the United States, and for other purpoſes.

CHAP. XLV.

An ACT to ſeize, confiſcate and appropriate, all Britiſh property within this ſtate. Lib. TBH. No. 1. fol. 451.

Other acts, ch. 49 and 51.

Preamble.

WHEREAS Great-Britain commenced an unjuſt war againſt the United States, and because their defending themſelves againſt her unprovoked and unjuſtifiable violence, declared the people of theſe ſtates rebels, and out of the protection of her government, and now proſecutes war againſt them on pretence of their being revolted colonies and in rebellion, and hath confiſcated the property of ſome of the citizens of theſe ſtates; the Britiſh army and navy, and other a-

CHAP. XLV.

…, acting under the authority of the British king, have seized in this and other of the United … the negroes and other property of the citizens of these states, and the property so seized have …ed off and disposed of at their will and pleasure; the said army and navy, and other armed ves… have committed various outrages on the persons, and devastations on the property, of the peo… of these United States, contrary to the practice of civilized nations, and the present usage of … in burning houses and towns, without any necessity, out of mere wantonness and cruelty; un…ate American prisoners, by cruel usage and threats, have been compelled to enlist in the army …eir enemies, and fight against their country; and many of the citizens of these states, taken …e, have been forced on board ships of war, and compelled, under an act of the parliament of …-Britain, and the cruel execution of it by the officers of the king of Great-Britain, to fight …t their country, their friends and relations: And whereas the subjects of Great-Britain posses… …erable landed and other property in this state, which the legislature, from a disinclination to …s individuals, hath suffered to remain in the hands and management of their agents, hoping …conduct so moderate would induce the enemy to respect the rights of humanity, emulate the …le, and alleviate the calamities of war; but such lenity and forbearance, instead of meeting …a proper return, have been falsely imputed to pusillanimity and a dread of retaliation, and seem …r to have encouraged the enemy to acts of violence and cruelty: And whereas the trustees of …ate have lately, on the advice of the officers of the crown of Great-Britain, refused to pay …oney belonging to this state in the bank of England: And whereas, in defiance of public faith, …n breach of the capitulation of Charles-town, the British officer commanding in that depart… under frivolous pretences, has imprisoned the persons of several respectable citizens of that …and confiscated their property; and from the general conduct of the enemy it may justly be in…d, that their hatred and cruelty is not to be softened or restrained by any respect to the usages …r, the obligations of compacts, or the rights of humanity: And whereas, by the declaration …dependence, all political connexion between Great-Britain and these states was dissolved, and …ubjects of Great-Britain declared enemies in war, and in peace friends; and by the law of na… the subjects of Great-Britain, in their separate and collective capacity, are answerable, not …for all expences incurred by this state in consequence of the war, but for any injury or damage …ed by any of the subjects of this state since the commencement thereof, and their property, …ever found, is subject to seizure and confiscation; wherefore,

British property to be seized, &c.

BE IT ENACTED, *by the General Assembly of Maryland*, and it is hereby enacted and declared, That …operty within this state, debts only excepted, belonging to British subjects, shall be seized, and …eby confiscated to the use of this state.

What persons are British subjects, &c.

… AND, to ascertain what persons shall be deemed and adjudged British subjects within the in…n of this act, BE IT ENACTED, That every person born within the dominions or allegiance of …rown of Great-Britain, and every person made a subject of that nation agreeable to its laws, …be, and he is hereby declared and adjudged to be, a British subject within this act, unless he …by some subsequent act, divested himself of that relation, by adhering to us and our cause, as …tering into the service or employment of the United States, or any of them, joining in the for…n of our government, taking the oath of allegiance to it, withdrawing himself from the British …ions for his attachment to the United States, or by doing some similar open act, or by giving …plied assent, by remaining within this or some other of the United States, and receiving the …ction and benefit of their government and laws.

… AND, whereas divers persons, formerly inhabitants of this state, have left the same, some to …giving their assistance to this state, and others on their private business, and have not again re…d; and all such persons would be adjudged British subjects under the preceding part of this act; …HEREBY PROVIDED AND ENACTED, That if any such person, who since the thirtieth day of …seventeen hundred and seventy-five, left this state, and went to Great-Britain, or any part of …British dominions, and hath not returned to this state, and if any person born within this state, …before the said thirtieth day of April was in Great-Britain, or any part of the British domini… …and hath since resided there,) unless he hath or shall avow himself a subject of Great-Britain, …ly join the British army or navy, or willingly accept protection from any commissioner, or offi… of Great-Britain, or hold, accept or receive, any office of trust or profit, or any pension, gratui… reward, from the crown, parliament or ministry, of Great-Britain, or by any other similar …ary overt act elect himself to be a subject of his Britannic majesty, (if he shall return into this …before the first day of March, seventeen hundred and eighty-two, and within one month there… …take and subscribe the oath or affirmation of fidelity and support to this state, prescribed by the …punish certain crimes and misdemeanors, and to prevent the growth of toryism,) shall not be

Proviso.

considered

CHAP XLV.

conſidered a Britiſh ſubject within the intent of this act; and in caſe any perſon who hath left ſtate with leave of any committee of obſervation, or the council of ſafety, and gone to Great-Br or any of the dominions of the crown thereof, ſhall be diſabled by age or infirmity from retu he may, at any time before the ſaid firſt day of March, convey or diſpoſe of any of his pro within this ſtate to any ſubject thereof; and in caſe either of the ſaid perſons who hath left this or who was born within it, and was, before the ſaid thirtieth day of April, in Great-Britain, part of the Britiſh dominions, and ſince reſided there as aforeſaid, ſhall return into this ſtate take the oath or affirmation of fidelity and ſupport aforeſaid, (thereby entitling himſelf to the b of a ſubject from the time of the revolution, which took place on the fourth day of July, ſeve hundred and ſeventy-ſix,) ſhall be anſwerable and triable as a ſubject of this ſtate, for any ac by him ſince the ſaid laſt mentioned day.

Proviſo.

V. PROVIDED, AND BE IT ENACTED, That the property of any of the ſaid perſons, which is chargeable with the treble tax, ſhall continue chargeable therefor.

Proviſo.

VI. PROVIDED, That the property of Horatio Sharpe, Eſquire, within this ſtate, ſhall n ſeized or confiſcated in conſequence of this act, if he ſhall return to this ſtate on or before th day of March, ſeventeen hundred and eighty-two, and within one month thereafter take an ſcribe the oath of fidelity and ſupport to this ſtate, or diſpoſe of his property aforeſaid on or the firſt day of March, to ſome ſubject of this or ſome other of the United States; and pro that the property of Miſtreſs Anne Ogle ſhall not be ſeized or confiſcated in conſequence of thi and provided alſo, that all ſuch Britiſh ſubjects who may have manifeſted their attachment t ſtate by affirmative acts of friendſhip, ſhall be excepted out of this act, and on application to th neral aſſembly, by petition, their property, or the value thereof, ſhall be reſtored to them, pro ſuch application be made on or before the firſt day of March, ſeventeen hundred and eighty-tw

VII. AND, whereas Oſgood Hanbury, Sylvanus Grove and James Ruſſell, truſtees of the ſtock of this ſtate in the funds of Great-Britain, are Britiſh ſubjects, and have refuſed to p bills of exchange drawn on them in purſuance of the act to enable the treaſurer of the weſtern to draw and ſell bills of exchange, and for an emiſſion of bills of credit if neceſſary, and it known to this general aſſembly, that the ſaid James Ruſſell, and the other owners and partner the ſaid James Ruſſell, in the iron-works, lands and ſtock, herein after mentioned, are Britiſ jects, within the deſcription and intent of this act, and this general aſſembly being deſirous to priate a ſpecial and ſufficient fund for redeeming and ſinking the ſaid bills of credit emitted in

Furnace, &c. appropriated, &c.

of the ſaid act; BE IT ENACTED, That the iron furnace, commonly called the White Marſh fu and the forges, commonly called the Long-Caln forge, in Baltimore county, belonging to th James Ruſſell and company, and all the lands and ſtock, real, perſonal or mixed, belonging to in company or partnerſhip, within this ſtate, ſhall be and are hereby appropriated and ſet apa fund for making good and ſinking the ſaid bills of credit and the intereſt due or to become due ſame, and that the ſame ſhall be managed and diſpoſed of as the legiſlature ſhall direct; and i it ſhould happen that the debts due to the ſaid James Ruſſell and company, together with their property in this ſtate, in their reſpective or collective capacity, ſhall not be ſufficient to p ſatisfy the debts due from them reſpectively, or as a company, to the ſubjects of this ſtate, giſlature will immediately, on its being made appear, appropriate ſufficient effects of the other ſubjects, as far as the value of the ſaid iron-works, lands and ſtock, or the ſhares and intereſt o of them whoſe other property may be deficient, for the ſatisfaction of the debts due to the ſu of this ſtate, and which may then remain unſatisfied.

Creditors indemnified, &c.

VIII. AND BE IT ENACTED, That the ſubjects of this ſtate, who are creditors of Britiſh ſu ſhall be indemnified out of the effects of their individual debtors, and the citizens of this ſtate have taken the oath or affirmation of fidelity and ſupport thereto, and have manifeſted their a ment to the preſent government, by exerting themſelves in ſupport of the independence of Am ſhall be fully paid and indemnified, ſo far as their Britiſh debtor or debtors is or are ſolvent, the Britiſh property ſeized and confiſcated in conſequence of this act.

No remittances to be made, &c

IX. AND BE IT ENACTED, That no payments or remittances whatſoever ſhall be made by a ject of this ſtate to any ſubject of Great-Britain, or any perſon in the Britiſh dominions, u the parent or guardian of any child who may be in any part of the Britiſh dominions for his tion, and in ſuch caſe ſo much only as may be neceſſary to defray the expences of removi child out of the Britiſh dominions, or by the huſband or father, for the ſupport of his wife or c till they can be removed.

X.

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Books, &c. not to be ſent out of the ſtate, &c.

And, to prevent concealments and embezzlements of the books, papers and evidences of debts of Britiſh ſubjects, BE IT ENACTED, That no books, papers or evidences of debts due to any ſubject, ſhall be ſent out of this ſtate, or delivered by any perſon who hath the cuſtody there- any Britiſh ſubject, or any perſon for him, and that the factor or other perſon, who may have cuſtody or power the books, papers or other evidences of debts due to any Britiſh ſubject of rt of Great-Britain called Scotland, and alſo the factor or other perſon who may have in ody or power the books, papers or other evidences of debts due to any other Britiſh ſubject, ſaid laſt mentioned factors or others are not connected to this ſtate by having families, and taken the oath of fidelity and ſupport to this ſtate, ſhall, and they are hereby required im- ely to deliver all the ſaid books, papers and evidences to the treaſurer of the reſpective ſhore the ſame may be, together with his affidavit, that what he ſo delivers is the whole he hath in ody or power; and any judge, or juſtice of the peace, upon information or his own belief, y ſuch perſon, who ought to deliver up any ſuch books, papers or evidences, hath in his cuſ- r power any ſuch books, papers or evidences, may iſſue his warrant againſt ſuch perſon, and him to gaol, unleſs he gives ſecurity in a reaſonable and adequate ſum, to deliver within days thereafter, all ſuch books, papers and evidences, with his affidavit aforeſaid, to the er of the ſhore where the ſame may be.

Debts to be ſatisfied, &c.

AND BE IT ENACTED, That in caſe any Britiſh debtor, whoſe property, or any part thereof, e by the general aſſembly applied or appropriated to any particular purpoſe, ſhall not have ue to him ſufficient to ſatisfy the debts due from him to the ſubjects of this ſtate, the general y will, on its being made appear, appropriate and apply other Britiſh property for the ſatis- thereof, to the value of ſuch as ſhall have been ſo applied or appropriated.

Aſſembly to ſettle, &c.

AND BE IT ENACTED, That the indemnification of ſufferers ſhall be ſettled by the general y, and if agreed to is not to exceed the value of Britiſh property made uſe of by this ſtate.

Gifts, &c. void, &c.

AND BE IT ENACTED, That any gift, grant, ſale, deviſe or conveyance, of any property, r executed ſince the nineteenth day of April, ſeventeen hundred and ſeventy-five, and before day of December, ſeventeen hundred and ſeventy-nine, by any perſon who by this act is de- and adjudged a Britiſh ſubject, to any perſon or perſons whatſoever, with intent and deſign to nd protect ſuch property from confiſcation, ſhall be and are hereby declared to be fraudulent, conveyances ſo or otherwiſe fraudulently made, are hereby declared void in law and equity; y conveyance, gift, grant, ſale or deviſe, made by any ſuch Britiſh ſubject ſince the ſaid firſt December, ſeventeen hundred and ſeventy-nine, ſhall be taken to be fraudulent and void in d equity, unleſs the ſame was *bonâ fide* made and executed in purſuance of ſome contract or ent made before that day in writing, or for payment of a debt due before that day by the making ſuch grant, conveyance or ſale, to the perſon receiving the ſame, and the proof of ubſiſting agreement or debt ſhall lie on the perſon claiming under ſuch conveyance, grant or nd if any ſuch conveyance, grant, ſale or deviſe, ſhall have been made for the ſatisfaction of precedent debt, at any thing leſs than three fourths of the real value, the purchaſer, grantee ſee, ſhall either pay the difference of value, or ſhall be conſidered as a mortgagee only for the y of the debt due with intereſt.

Property ſubject to diſpoſal, &c.

AND BE IT ENACTED, That all Britiſh property confiſcated in virtue of this act, and not appropriated for the redemption of the bills of credit lately emitted by this ſtate, and for ment of debts, ſhall be ſubject to the diſpoſal of the general aſſembly.

CHAP. XLVI.

Paſſed 2d of Feb. 1781.

ACT relating to the treble tax impoſed on nonjurors and abſentees.

lib. TBH. No. 1. fol. 457.

Treble tax remitted, &c.

IT ENACTED, *by the General Aſſembly of Maryland*, That the treble tax which nonjurors were able to pay, and which has been heretofore ſuſpended by the ſeveral acts of aſſembly, ſhall be hereby remitted, and the ſaid nonjurors are hereby for ever diſcharged therefrom; and the tax which nonjurors will be liable to pay under the act of this ſeſſion to raiſe the ſupplies for one thouſand ſeven hundred and eighty-one, ſhall be collected from ſuch nonjuror, unleſs miſſioners of the tax where ſuch nonjuror reſides, or where his property is taxed, ſhall be tiſfied, and in their judgment and conſcience believe, that the neglect of ſuch nonjuror to e oath or affirmation required by the act for the better ſecurity of the government, did not from attachment to Great-Britain, or diſſaffection to this ſtate or its independence, but from

CHAP. XLVI.

ſcruples of conſcience only, in which caſe the commiſſioners may direct the collector to ſuſp collection of the ſaid treble tax from ſuch nonjuror, and ſhall report the name of ſuch perſon caſe to the next general aſſembly.

To be collected on abſentees, &c.

II. AND BE IT ENACTED, That the treble tax, which abſentees are liable to pay under the the better ſecurity of the government, ſhall be duly collected, and the juſtices of the ſeveral courts ſhall make diligent inquiry after ſuch abſentees, and return their names (if not already to the governor and council, and the collectors of the ſeveral counties ſhall levy the ſame tre on the property of all abſentees liable to pay the ſame, under the penalty of being anſwerable for in caſe of neglect, with an intereſt of ten *per cent.*

CHAP. XLVII.

Paſſed 2d of Feb. 1781.

An ACT for the relief of Thomas Beall, of Waſhington county. Lib. TBH. No. 1. fo A Private Act.

CHAP. XLVIII.

* Chapter 25.

A Supplement to the act * to raiſe the ſupplies for the year ſeventeen hundred and eighty-one TBH. No. 1. fol. 459.

CHAP. XLIX.

An ACT to appoint commiſſioners to preſerve confiſcated B property. Lib. TBH. No. 1. fol. 460.

Commiſſioners appointed, &c.

BE IT ENACTED, *by the General Aſſembly of Maryland*, That William Paca, Uriah Forreſt a ment Hollyday, Eſquires, or any two of them, ſhall be and are hereby appointed commi for the purpoſe of preſerving all Britiſh property, ſeized and confiſcated by the act of the

* Chapter 45.

ſeſſion, * to ſeize, confiſcate and appropriate, all Britiſh property within this ſtate, and t ſaid commiſſioners ſhall be, and are hereby declared to be, in the full and actual ſeizin and po of all Britiſh property ſeized and confiſcated by the ſaid act, without any office found en other act to be done, and the ſaid commiſſioners ſhall and may, as ſoon as may be, appoint perſons, in all caſes that they may think neceſſary, to enter into and take poſſeſſion of any the ſaid property, and to preſerve and keep the ſame from waſte and deſtruction, or to occu employ the ſame for the benefit of the public, and to inventory the ſame, or any other of t property, which the ſaid commiſſioners may not think proper or neceſſary to put into the kee any perſon as aforeſaid, and the ſaid commiſſioners ſhall return to the next general aſſembly account of all ſuch Britiſh property by them diſcovered, to whom the ſame belonged, the per any, to whoſe keeping they committed the ſame, and the ſums to which the ſame ſhall be va the next valuation of property, and the inventory aforeſaid ſhall alſo be returned to the gen ſembly, with the liſt or account aforeſaid; but in caſe any perſon ſhall be in poſſeſſion of any ſaid property, and claim the ſame, ſuch property ſhall not be taken out of his poſſeſſion, if h good and ſufficient ſecurity in double the value thereof, that the ſame, if moveable, ſhall duced when called for by the commiſſioners not any way damaged or injured, or if real, that n or deſtruction ſhall be committed thereon, but that the ſame ſhall be kept and preſerved in order and repair as the ſame may then be in, until the title thereto ſhall be determined; and either of the ſaid commiſſioners ſhould refuſe to act, or die, in the receſs of the aſſemb governor and the council are to appoint another in his ſtead, to act as commiſſioner till th meeting of the general aſſembly.

To take an oath, &c.

II. AND BE IT ENACTED, That before any commiſſioner ſhall act as ſuch, he ſhall take the ing oath, to wit: "I, A. B. do ſwear, that as commiſſioner under the act for appointing c "ſioners to preſerve confiſcated Britiſh property, I will, to the beſt of my ſkill and judgmen "cute the truſt repoſed in me, and the duties of my office, diligently, impartially and faith "ſo help me GOD."

May appoint a clerk, &c.

III. AND BE IT ENACTED, That the ſaid commiſſioners ſhall be empowered to appoint who ſhall make true entries of their proceedings, and before he acts as clerk ſhall take an oat gently and truly to execute his ſaid office; and each of the ſaid commiſſioners ſhall be allow ſhillings, in Spaniſh dollars at ſeven ſhillings and ſix-pence each, or in bills of credit to th thereof, for each day he ſhall attend in the execution of his office, beſides the like ſum for eac itinerant charges; and the ſaid clerk ſhall alſo be allowed thirty ſhillings like money for eac attendance, beſides the like ſum for each day's itinerant charges.

IV

AND BE IT ENACTED, That the said commissioners are also hereby declared to be in the full qual seizin and possession of all property within this state which belonged to any person out- for treason, and may appoint proper persons to take care of and preserve the same from waste truction, and inventory and return the same to the general assembly at the next session, in the manner as if the same was confiscated British property, to the end that proper measures may en for the disposition thereof, in the manner most advantageous for the public, and the purpose ch the same is appropriated. CHAP. XLIX. In possession of property, &c.

CHAP. L.

CT to secure disaffected persons. Lib. TBH. No. 1. fol. 461. Passed 2d of Feb. 1781.

To continue until the end of the next session. Expired.

CHAP. LI.

ACT to procure a loan, and for the sale of escheat lands, and e confiscated British property therein mentioned. Lib. TBH. o. 1. fol. 462.

HEREAS it is necessary to procure a sum of specie, for the immediate relief of such of the quota of the troops of this state in the continental service as are prisoners with the enemy, ng for the recruits to be raised in this state, and a sum of money to defray the immediate and ry expences of government, until the taxes imposed by act of this session can be collected; Preamble.

E IT ENACTED, *by the General Assembly of Maryland*, That a premium, at the rate of ten pounds ry hundred pounds which may be lent to this state (in any sum not less than ten pounds) in gold r, until eight thousand pounds shall be so obtained, be allowed to the person making such loan; premium, at the rate of seven pounds ten shillings on every hundred pounds which may be this state in gold or silver (after the said eight thousand pounds shall be so obtained;) and a m of five pounds on every hundred pounds on loans in bills of credit of the old or new emis- t their value, in wheat, weighing not less than fifty-eight pounds per bushel, at seven shil- nd six-pence per bushel, fresh merchantable fine wheat flour, at twenty-two shillings and six- per long hundred weight, in cask well pegged or nailed, or any articles of cloathing fit for , at their ready money price in specie; the said wheat or flour to be delivered to the com- rs of the respective counties, on navigable water, or some mill or other secure house with- miles thereof; and that the said last mentioned premium be allowed on loans of crop tobacco ed since the fifteenth day of September last, in hogsheads weighing not less than nine hundred ty pounds net each, which tobaccoes shall be repaid in kind, in the same county and of as eight as that may be which is lent; the said monies and tobaccoes to be delivered to the trea- f the shore respectively where lent, or to any senator or delegate of the county where such y be made; and the said articles of cloathing to be agreed for with and delivered to the com- of stores, or such other person or persons as the governor and council may appoint; of any h loans or purchases, the person who receives or makes the same shall give to the lender or certificate therefor, expressing the time and all other particulars concerning the same; and ney or tobacco so lent shall, without delay, be sent to the treasurer of the shore where lent, copy of the certificate given therefor; and the treasurer shall give notice of such receipts, me to time, to the governor and council; and the county commissaries shall also, from time to ransmit copies of the certificates by them given to the treasurer of their respective shore, and s of what wheat and flour they may receive as aforesaid to the governor and council; and rson lending tobacco shall be entitled to the premium aforesaid, with an interest of six *per cent.* ll be paid in the same warehouse where lent, so far as the public may have tobacco therein; governor and council, out of the first loans aforesaid, are to furnish and supply the captive of the Maryland troops with forty pounds each, and the captive non-commissioned officers ivates with seven pounds ten shillings each, in specie, reckoning Spanish dollars at seven shil- nd six-pence; and out of the said loans, before any other application thereof, purchase, pro- nd have made up ready for use, cloathing for one thousand recruits, which shall be distributed counties with all dispatch, and in just proportion, as near as may be, to the recruits to be in the respective counties by act of the present session; in the next place to satisfy the men ve served in the quota of the troops of this state in the continental service, whose times have , and who are therefore discharged from the service, for their cloathing and other dues which unpaid; and the residue, as if the same had been raised under the act of the present session the supplies for the year seventeen hundred and eighty-one. Premium on loans, &c.

CHAP. LI.

Loans to bear intereſt, &c.

III. AND BE IT ENACTED, That all the ſaid loans, including the reſpective premiums or ances aforeſaid, ſhall bear an intereſt of ſix *per cent. per annum*, which ſhall be paid yearly; a ſenator and delegate ſhall lay before the general aſſembly, in the firſt week of their next ſeſſi of all monies and tobaccoes received by them, the times of their receipts, and the perſon from whom received.

Certain property pledged, &c.

IV. AND, to make certain the true and ſpeedy payment of the ſaid certificates and inte IT ENACTED, That the following property within this ſtate, of perſons well known to this aſſembly to be Britiſh ſubjects, within the deſcription and intent of the act of this preſent ſe ſeize, confiſcate and appropriate, all Britiſh property within this ſtate; that is to ſay, the manors in the counties of Saint-Mary's, Kent, Charles, Queen-Anne's, Dorcheſter, Some Worceſter, which belonged to the late lord proprietary, and which remains unſold by the ſioners of Frederick late lord Baltimore, and alſo all the property of the perſons commonl by the name of the Principio Company, except the part, ſhare or intereſt, of Thomas Ruſſell ject of this ſtate, and one of the ſaid company, and except alſo the part, ſhare or intereſt, of any other ſubject of this, or any other ſubject of any other of the United States, and exc the lands called Beaver-dam Manor and Chaptico Manor, in Saint-Mary's county, ſhall be hereby pledged and ſet apart as a ſecurity therefor; and that the ſaid property ſhall be ſold poſed of in ſuch manner and at ſuch time as the general aſſembly ſhall hereafter direct, for purpoſe of paying and diſcharging the ſame; and that the ſaid certificates, for the ſum ther cluding principal, premium and intereſt, ſhall be received in payment on the ſale of the ſaid ty, or any other Britiſh property, (except that ſpecially engaged to ſink the new ſtate bills of and ſuch as ſhall be ſpecially engaged to make good the depreciation of the pay of the offic ſoldiers of the quota of this ſtate of the continental troops,) as and inſtead of ſo much ſpec in caſe the lenders of tobacco payable in tobacco and the public cannot agree on the price then ſhall the produce of the ſales, ſo far as neceſſary, be faithfully applied in the purcha bacco, in the ſame counties where the ſame ſhall have been lent, and the lenders fully paid a fied therewith; and in caſe the lands and other property herein before pledged and engaged cure a loan, ſhould not prove fully ſufficient to repay the ſame as aforeſaid, the general aſſem pledge other property, on its appearing probable, amply to make up the deficiency.

Lands to eſcheat to the ſtate, &c.

V. AND BE IT ENACTED, That any lands within this ſtate, of which any perſon has or ſha after die ſeized in fee-ſimple, without any heir of the whole blood who could have inherit had been a ſubject of this ſtate, or without leaving any relation of the half blood within two that is, firſt couſins, as the ſame are reckoned by the common law, ſuch lands ſhall eſchea ſtate, and the commiſſioners appointed to preſerve Britiſh property may agree for the ſale of th (giving the preference to thoſe who have already applied to the land-office for the pre-empti to thoſe who ſhall firſt hereafter diſcover and apply to purchaſe, at two thirds of the real ſuch lands in ſpecie, bills of credit, or crop tobacco inſpected ſince the fifteenth day of Se laſt, weighing not leſs than nine hundred pounds net each hogſhead, to the value as the ſam have ſold for in the year ſeventeen hundred and ſeventy-four,) on condition that one half of t ſideration be paid within three months hereafter, or within two months after the application, reſidue within nine months after the firſt payment; and on application to the ſaid commiſſio any eſcheat land, they may direct the clerk of the land-office of the ſhore where the land iſſue a warrant to the ſurveyor of the county to ſurvey the ſame, and to note in his return t tion, quality and value, of the land and improvements; and the ſaid commiſſioners ſhall infor ſelves, by any other ways and means, of the true value of any ſuch land; and if any perſon o ſuch warrant of eſcheat ſhall neglect to comply with his terms of payment, the land ſhall be to any new application which ſhall be firſt made after ſuch default; and any money or tobacc to be paid for the purchaſe of eſcheat lands, ſhall be paid to the treaſurer of the ſhore w land lies, and the treaſurer ſhall give his receipt therefor, which receipt ſhall be produce lodged with the commiſſioners.

By November, 1781, ch. 20, ſection 17, ſo much of this act as authoriſed the commiſſioners to grant warrants and t for the ſale of eſcheat lands, was repealed.

Lots, &c. to be ſold, &c.

VI. AND BE IT ENACTED, That the following lots, to wit: No. 11, 38, 40 and 41, in Bal town, and the land adjoining or near to Baltimore-town belonging to the heirs of Edward Fo late of the kingdom of Ireland; the property of Anthony Bacon, John Eversfield, Geo Andrew Buchanan, James Brown and company, Mackie, Speirs and company, Mackie, French and company, James Chriſtie, John Buchanan, John Glaſsford and company, the John Hyde, the heirs of Samuel Hyde, the heirs of Thomas Bladen, all of Great-Britain, k

CHAP. LI.

...itish ſubjects within the deſcription and intent of the ſaid act to ſeize, confiſcate and appropri... all Britiſh property within this ſtate, and ſuch parts of the manors or lands in Saint-Mary's ..., called Beaver-dam Manor and Chaptico Manor, which are ſeized and confiſcated as Britiſh ...erty in conſequence of the ſaid act, ſhall and may alſo be laid off in ſmall convenient parcels by ...commiſſioners aforeſaid, as they may judge moſt advantageous; and the ſaid commiſſioners are ...y empowered and directed, at ſuch convenient times as they may think proper, and after three ... notice in the Baltimore news-paper for the lands in Baltimore-town, and ſix weeks for the ...lands, to ſet up and expoſe to ſale by auction, (appointing the auctioneer of the county where ...roperty lies, or ſuch other perſon as they think proper, allowing for his trouble not exceeding ... rate of one half *per cent.*) any of the ſaid parcels, on the terms of paying one fifth part of the ...id in ſpecie, at the rate of ſeven ſhillings and ſix-pence per Spaniſh dollar, and the remaining ...fth parts thereof in the new bills of credit emitted by this ſtate, and the new continental bills ...dit emitted in this ſtate, at ſeven ſhillings and ſix-pence per dollar, the ſpecie to be paid within ... weeks from the day of ſale, one half of the bills of credit to be paid within two months after ...id ſale, and the remainder within four months from the ſale; but if the firſt and ſecond pay... ſhall not be made by the times limitted, the commiſſioners may advertiſe and expoſe the land ...for ſale; if the firſt payment ſhall be made and the ſecond neglected, the firſt payment ſhall be ...ed, but if default ſhall be made in the laſt payment, the ſecond being made, no conveyance ...e made till the laſt payment ſhall be made up, with ten *per cent.* intereſt; and if the ſaid Tho...aſſell ſhall conſent to have his undivided part of the ſaid land laid out and ſold with the other, ...ll have his juſt proportion of the purchaſe money paid over to him on the receipt thereof, and ...ney received belonging to the public ſhall be from time to time paid into the treaſury of the ...on which the land lies.

Purchaſers ſecured, &c.

II. AND BE IT ENACTED, That this ſtate will for ever warrant and ſecure to the purchaſers ...eir heirs any Britiſh property ſold in purſuance of this act, and will protect them in the peace...ſeſſion thereof.

No property to be ſold, &c.

III. AND, to prevent any injury or inconvenience from the ſale of any property as belonging to ...the perſons herein before mentioned, which does not belong to ſome of them, BE IT ENACTED, ...the ſaid commiſſioners ſhall not proceed to the ſale of any property under this act, as belonging ... of the ſaid perſons, and being confiſcated becauſe of their being Britiſh ſubjects, but what ...all be fully and clearly ſatisfied did belong to them, and hath not been ſold or conveyed ſince ...d day of December, ſeventeen hundred and eighty.

CHAP. LII.

...CT for the payment of the journal of accounts. Lib. TBH. No. 1. fol. 468.

Paſſed 2d of Feb. 1781.

...SESSION of the GENERAL ASSEMBLY of MARYLAND, ...gun and held at the CITY of ANNAPOLIS, on Thurſday, the ...th of May, in the year of our Lord 1781, and ended the 27th ...y of June, 1781, the following laws were enacted.

1781.

THOMAS SIM LEE, ESQUIRE, GOVERNOR.

CHAP. I.

...CT for the adjournment and continuance of the general court of the weſtern and eaſtern ſhore, ...the ſeveral county courts therein mentioned, and for the other purpoſes therein mentioned. ...TBH. No. A. fol. 1.

Paſſed 27th of June, 1781.

CHAP.

CHAP. II.

Paſſed 27th of June, 1781.

An ACT to repeal the ſeveral acts of aſſembly heretofore made tive to the export of proviſions. Lib. TBH. No. A. fol. 2.

Acts repealed.

BE IT ENACTED, *by the General Aſſembly of Maryland*, That all acts of aſſembly heretofore prohibiting the export of proviſions, ſhall be and are hereby repealed, (except ſo much ſaid acts as forbids the export of proviſions of the meat kind by water, which ſhall continue main in full force during the time limitted by ſaid acts, or any of them, any thing herein to th trary notwithſtanding.)

CHAP. III.

An additional ſupplement to the act (a) for raiſing the ſupplies for the year ſeventeen hundr eighty-one. Lib. TBH. No. A. fol. 2.

(a) October, 1780, ch. 25.

CHAP. IV.

An ACT for building a bridge over Tuckahoe creek. Lib. TBH. No. A. fol. 2. Conditi repealed by 1794, ch. 48.

CHAP. V.

An ACT to procure an immediate ſupply of cloathing and fleſh proviſion for the troops, and ficient number of horſes for light-horſe and for carriage. Lib. TBH. No. A. fol. 4.

CHAP. VI.

An ACT for the relief of William Hopper, of Caroline county, late collector of the tax. TBH. No. A. fol. 7.

CHAP. VII.

An ACT to make valid the proceedings of the veſtry of Port-Tobacco pariſh, in Charles c and for other purpoſes therein mentioned. Lib. TBH. No. A. fol. 8.

CHAP. VIII.

An ACT to repeal the act of aſſembly to regulate auctions. TBH. No. A. fol. 8.

An act repealed.

BE IT ENACTED, *by the General Aſſembly of Maryland*, That the act of aſſembly, entitled, to regulate auctions, paſſed at a ſeſſion of aſſembly, begun and held at the city of Annap

* Chapter 30.

the ſeventeenth day of October laſt paſt, * ſhall be and is hereby repealed.

CHAP. IX.

An ACT to enable Thomas Barnett, and Jane his wife, to exchange part of a tract of land Lnnall's Outrange, with Robert Harriſon, for part of a tract of land called Manning's Lib. TBH. No. A. fol. 9.

CHAP. X.

An ACT to collect arms. Lib. TBH. No. A. fol. 10.

CHAP. XI.

An ACT to regulate auctions in Baltimore-town, in Baltimore county. Lib. TBH. No. A.

To continue three years, &c. Expired.

CHAP. XII.

An ACT for the trial and puniſhment of ſpies, and ſuch as may join the enemy. Lib. TBH A. fol. 12.

To continue until the end of the next ſeſſion. Expired.

CHAP. XIII.

An ACT to continue and explain the powers veſted in the ſpecial council appointed on the ſhore. Lib. TBH. No. A. fol. 14.

CHAP. XIV.

An ACT for the relief of certain nonjurors. Lib. TBH. No. A. fol. 14.

CHAP. XV.

An ACT to raiſe two battalions of militia for reinforcing the continental army, and to co the number of ſelect militia. Lib. TBH. No. A. fol. 15.

CH

CHAP. XVI.

ditional ſupplement to the act, (a) for the regulation of the ſtaple of tobacco. Lib. TBH. A. fol. 19. Paſſed 27th of June, 1781.

(a) June, 1780, ch. 14. Expired with the principal act at the end of the ſeſſion of 1785.

CHAP. XVII.

ACT to adjuſt the debts due from this ſtate. Lib. TBH. No. A. fol. 21.

HEREAS many debts are due from this ſtate on loan-office certificates for money lent, and on certificates for allowances on the journal of accounts, and for property purchaſed or taken thority of law, and for ſervices performed, and for monies advanced, or merchandiſe ſold to blic, and it is proper that ſome rule ſhould be eſtabliſhed by law for liquidating all debts due by te, to do juſtice to public creditors, and to prevent their ſuffering any loſs by the depreciation paper money; Preamble.

BE IT ENACTED, *by the General Aſſembly of Maryland*, That all debts due from this ſtate ſince t day of December, ſeventeen hundred and ſeventy-ſeven, and which remain unſettled or un- ſhall be liquidated and adjuſted agreeable to the table of depreciation eſtabliſhed by congreſs, payment of the principal and intereſt of loans between the firſt day of December, ſeventeen d and ſeventy-ſeven, and the eighteenth day of March, ſeventeen hundred and eighty, and that day according to the following ſcale of depreciation, to wit: Seventeen hundred and March fifty-ſeven and one half, April ſixty-five, May, June ſixty, July ſixty-five, Auguſt, mber ſeventy, October ſeventy-five, November eighty, December ninety; ſeventeen hundred ghty-one, January one hundred and ten, February one hundred and twenty, March one hun- nd thirty; ſtate emiſſions of June, ſeventeen hundred and eighty, compared with ſpecie, to twentieth day, three and one half, to the thirtieth day four, May, to tenth day five, to eth day ſix, to thirtieth day ſix and one half, June ſix and one half; and any perſon, having im againſt this ſtate for any debt or contracts ſince the period aforeſaid, ſhall produce the to the auditor-general, (or his deputy if within the ſum limitted for his examination,) who ate and ſettle ſuch debts, by reducing the amount thereof to the true value in ſpecie at the l time the ſame were incurred or entered into, or become due, if any day appointed for pay- according to the above rule laid down, by comparing the value of the paper money due, or , the ſtate, with gold or ſilver; and any claims ſo ſtated, liquidated and paſſed, by the auditor- l, or his deputy, ſhall be laid before the governor and the council, who, after examination , and correcting any error therein, may give their order on the treaſurer of the weſtern ſhore ſum due, in ſpecie, who ſhall give a certificate for the ſum expreſſed in the order, payable to ion, or bearer, in ſpecie, of the value of ſeven ſhillings and ſix-pence for a Spaniſh milled and bearing an annual intereſt of ſix *per cent.* Debts to be liquidated, &c.

AND BE IT ENACTED, That intereſt ſhall be allowed on all debts due from the ſtate, from the e ſame ought to have been paid, and included in the certificate to be given as aforeſaid; and te will, as ſoon as poſſible, diſcharge the principal, or ſuch part thereof as may be in their and if the public finances will not permit, then the general aſſembly will provide funds for ctual payment of the intereſt. Intereſt to be allowed, &c.

AND, whereas for goods and articles of produce taken or furniſhed for the uſe of the army credit of this ſtate, ſuch very different prices or valuations have been ſet and certified, that inſtances individuals will, if the legiſlature does not interfere, receive double the price of or the like article; BE IT ENACTED, That the auditor, with the approbation of the governor ncil, may, and he is hereby directed, in liquidating and aſcertaining in ſpecie any account or te for goods or produce furniſhed, or taken or ſeized, ſettle and adjuſt the ſame, according true and real value of ſuch articles at the time and place the ſame was furniſhed or ſeized, ng to the common ſelling price of ſuch articles at ſuch time and place; but if the party ſhall mſelf aggrieved by ſuch ſettlement, the auditor is required to forbear certifying the ſaid ſet- , and to lay the ſame before the general aſſembly at their next ſeſſion thereafter. Auditor to adjuſt accounts, &c.

AND, whereas certificates under the act for the payment of the journal of accounts, and for poſes, paſſed in March ſeſſion, ſeventeen hundred and ſeventy-eight, * iſſued on divers days, ring different dates, and therefore the ſettlement thereof by the general rule before laid ould not do equal juſtice; BE IT ENACTED, That all certificates and claims under the ſaid act * Chapter 16. How claims are to be ſettled, &c.

CHAP. XVII.

act shall be settled and adjusted, as if the same were granted, or due and payable, on the seven day of March, seventeen hundred and seventy-eight.

CHAP. XVIII.

Passed 27th of June, 1781.

An ACT to encourage the destroying of wolves. Lib. TBH. No. A. fol. 22.

To continue one year, &c. Continued until the end of the next session by November, 1783, ch. 32. Expired.

CHAP. XIX.

An ACT to enable the visitors of Anne-Arundel county scho qualify themselves to execute their trust. Lib. TBH. No fol. 23.

Preamble.

WHEREAS it is represented to this general assembly, that the late visitors of Anne-A county school, from inattention, did not take, repeat and subscribe the oath of fide this state, prescribed by the act to punish certain crimes and misdemeanors, and to prevent the g of toryism, agreeable to the directions thereof, by means whereof the said visitors were disqu to discharge the trust reposed in them: And whereas it is necessary, for the good government said school, that the said visitors should be enabled to discharge the said trust;

Visitors vested with power, &c.

II. BE IT ENACTED, *by the General Assembly of Maryland*, That the said visitors, on thei scribing a declaration of their belief in the christian religion, and taking the several oaths re of visitors of schools by the constitution and laws of this state, shall from thenceforth be, a hereby vested with as full and ample powers as any visitors of schools have heretofore ha enjoyed.

CHAP. XX.

An ACT to explain and amend the act (a) to settle and adjust accounts of the troops of this state in the service of the Un States, and for other purposes therein mentioned. Lib. T No. A. fol. 24.

(a) October, 1780, ch. 38.

Preamble.

WHEREAS, on the sale by the commissioners appointed to preserve confiscated British p ty, of some lots and parcels of land in or near Baltimore-town, some of the purchasers tendered the first payment in certificates issued by the commissioner appointed to settle the acc of the state troops, and it was the evident intention of the assembly, that the first payment be in specie only, and the property would have sold for a much greater price, if the bidder others had been informed or believed that such certificates would have been received in payme

Purchasers to pay one fifth in specie, &c.

II. BE IT ENACTED, *by the General Assembly of Maryland*, That if any purchaser will pay un treasurer of the western shore one fifth part of the purchase money in specie, on or before the tieth day of July next, and the residue in bills of credit, to wit, one half thereof on or befo tenth day of August next, and the remainder on or before the tenth day of September next, he be entitled to the land by him purchased, but in case of neglect in the first payment in specie, time above limitted, the commissioners shall expose the land again for sale on the terms in th directed, and the purchaser, on compliance therewith, shall have the land, and be warrante secured therein by the public; and if the first payment be made as above limitted, and the s neglected, the first shall be forfeited; and if default in the last payment (the second being mad conveyance shall be given by the commissioners, till the last payment be made, with ten *per ce* terest.

And may file bills, &c.

III. AND, whereas it is not the intention of this general assembly to preclude the established c of justice from determining on the said contracts, or the execution thereof; BE IT THERE ENACTED, That in case any of the said purchasers shall determine to insist on a conveyance o lands purchased, on the terms of making the first payment in certificates, on such purchaser his bill for that purpose in the court of chancery, on or before the tenth day of July next, th before directed shall not be made; or if the party shall choose, he may commence his actio damages, and the state will, if any recovered, make good the same.

CH

CHAP. XXI.

ACT to direct the recording of a deed from John Starkey to Joſhua Donaho, of Cæcil county. TBH. No. A. fol. 24. A Private Act. Paſſed 27th of June, 1781.

CHAP. XXII.

ACT to direct the granting letters teſtamentary on a copy of a will proved where the teſtator dies. Lib. TBH. No. A. fol. 25.

WHEREAS by the act (a) to eſtabliſh orphans courts in the ſeveral counties of this ſtate, it was directed, that the will of any deceaſed perſon, having a manſion-houſe, or place of reſidence and abode, ſhould be proved in the orphans court of the county where ſuch manſion- or place of reſidence or abode, ſhall have been; and it hath happened, and very frequently happen, that the will of ſuch deceaſed perſon may be proved in the county where he or ſhe ſhall and not in the county where his or her manſion-houſe or reſidence was; Preamble.

(a) February, 1777, ch. 8.

BE IT ENACTED, *by the General Aſſembly of Maryland*, That where any perſon ſhall die out of county where ſuch perſon's manſion-houſe or reſidence was, the will may be proved in the or- court of the county where the ſaid perſon ſhall die, and that an atteſted copy of ſuch will, the ſeal of the orphans court of the county where proved, may be produced to the orphans of the county where ſuch deceaſed perſon's manſion-houſe, or place of reſidence or abode, have been, and thereupon letters teſtamentary ſhall be granted by ſuch court upon the ſaid copy, ſuch letters ſhall be as valid in law as if granted by the orphans court of the county in which the manſion-houſe or reſidence of the deceaſed; and the time given to widows, to make their on whether they will ſtand to or renounce the proviſion in a will ſo made, ſhall be counted from the copy of ſuch will ſhall be produced to ſuch orphans courts as aforeſaid; and any perſon, intereſt may be affected by any ſuch will, ſhall have a right to conteſt the validity of the ſame, in the orphans court of the county in which ſuch will ſhall be proved, or in the orphans court which ſuch copy may be produced, in the ſame manner as if ſuch will had been produced and to be proved in the orphans court of the county wherein ſuch deceaſed perſon had reſidence. Where wills may be proved, &c.

See the note under the act to eſtabliſh orphans courts.

CHAP. XXIII.

ACT for the emiſſion of bills of credit not exceeding two hundred thouſand pounds, on the ſecurity of double the value in lands, to defray the expences of the preſent campaign. Lib. TBH. No. A. fol. 26.

WHEREAS it is neceſſary to raiſe a large ſum of money, to enable this ſtate to make ſpeedy and vigorous exertions againſt the common enemy, and there is no other means of immediate- procuring the ſame, but by an emiſſion ſecured on adequate permanent funds, with a ſhort period the redemption; Preamble.

BE IT ENACTED, *by the General Aſſembly of Maryland*, That bills of credit, to the amount and of two hundred thouſand pounds ſpecie, eſtimating Spaniſh milled dollars at ſeven ſhillings and ence each, be printed and ſtruck with all ſpeed, under the care and direction of William Wilkins Iſaac M'Hard, hereby appointed ſupervifors of the preſs for that purpoſe, in the manner and following, to wit: "This bill of ——— ſhall entitle the bearer to receive ſpecie to its value, mating milled dollars at ſeven ſhillings and ſix-pence, hath landed ſecurity to at leaſt double its lue, and is to be redeemed between the twenty-fifth day of December, ſeventeen hundred and ghty-four, and the twenty-fifth day of June, ſeventeen hundred and eighty-five, according to an of aſſembly of the ſtate of Maryland, made the tenth day of May, ſeventeen hundred and ghty-one;" and the ſaid bills of credit ſhall be of the following denominations, to wit: Thirty-two and ſix hundred and fifty-two bills of three pounds each, thirty-two thouſand ſix hundred and fif- wo bills of thirty ſhillings each, thirty-two thouſand ſix hundred and fifty-two bills of fifteen ſhil- each, thirty-two thouſand ſix hundred and fifty-two bills of ſeven ſhillings and ſix-pence each, y-two thouſand ſix hundred and ſixty-five bills of five ſhillings each, thirty-two thouſand ſix dred and ſixty-five bills of two ſhillings and ſix-pence each, thirty-two thouſand ſix hundred and y-five bills of one ſhilling and ſix-pence each, and thirty-two thouſand ſix hundred and ſixty-five Bills of credit to be printed, &c.

CHAP. XXIII.

bills of one ſhilling each, and ſhall be ſtruck on ſuch plates, and printed with ſuch devices and to prevent counterfeits, as the ſaid ſupervifors ſhall direct; and the printer employed for p the ſaid bills, and all his apprentices and ſervants who ſhall be employed in the ſaid work, ſha rally, before they reſpectively enter on the ſaid work, take an oath "faithfully and honeſtly form their duty, and that they will not adviſedly print or ſtamp a greater number of blank b of any other denomination, than directed by the ſupervifors, except only ſuch ſheets as blotted, unfair or imperfect, in the printing or ſtriking thereof, and unfit for uſe;" which unfair or imperfect ſheets, ſhall be immediately deſtroyed in the preſence of the ſaid ſupervi one of them; and ſuch bills as ſhall be fair and fit for emiſſion, ſhall be locked up in ſome con room, and the key thereof ſhall be kept by the ſupervifors, and as the ſaid bills ſhall be dried for ſigning, the ſame ſhall from time to time be delivered into the treaſury, and thence delive in ſmall parcels for ſigning; but to prevent any accident happening to the ſaid bills after th perfected by ſigning, the treaſurer is directed not to have any conſiderable ſum of them ſigned the immediate occaſion.

Printer's allowance, &c.

III. AND BE IT ENACTED, That the printer who ſhall print the ſaid bills ſhall be entit receive, as a reward for his ſervice, five hundred pounds of the ſaid bills of credit, beſides his al coſt of the paper, and that each ſupervifor ſhall be allowed fourteen ſhillings in the ſaid credit for his trouble, for every day he ſhall attend on the ſaid ſervice; and in caſe any ſup ſhall die, reſign or refuſe to act, the governor and council may appoint a fit and proper perſon ſtead; and every ſupervifor ſhall, before he acts as ſuch, take an oath diligently and faithf execute his duty as ſupervifor under this act.

Signers to be appointed, &c.

IV. AND BE IT ENACTED, That the governor and the council may appoint any number of p not exceeding ſix, to be ſigners of the ſaid bills, and each bill ſhall be ſigned by ſome two of t perſons, and afterwards returned to the treaſurer, and each ſigner ſhall be allowed at the ſeven ſhillings and ſix-pence for every thouſand bills by him ſigned, payable in the ſaid bills of

Bills not to be iſſued beyond the ſubſcriptions, &c.

V. AND BE IT ENACTED, That none of the ſaid bills of credit ſhall be iſſued or delivered the ſaid office, further or beyond what the ſubſcriptions and bonds herein after mentioned lodged in the ſaid office, ſhall amount to, nor at any other value than at par with ſpecie; an one fifth part of the ſaid bills of credit be appropriated to the defence of this ſtate, and one part of the ſaid ſum ſhall, immediately after the ſame is printed, be ſent by the governor and cil, unſigned, to the treaſurer of the eaſtern ſhore, ſubject to the diſpoſal of the ſpecial council may appoint proper perſons to ſign the ſame; and the reſidue of the ſaid bills of credit, after d ing the ſaid one fifth part, ſhall be wholly appropriated, and ſhall and may be iſſued under the of the governor and council, from time to time as occaſion may require, for the purpoſe only fraying the expences which ſhall be hereafter incurred of the preſent campaign.

To be kept in cheſts, &c.

VI. AND, in order that the ſaid bills of credit may be kept entirely ſeparate as to their exp ture, iſſuing funds, payment in, and ſinking, BE IT ENACTED, That the ſaid bills of credit, a before they iſſue as on their return into the office, and alſo any ſpecie which may be paid in ſaid office, in lieu of, or ſecurity for, ſuch bills of credit, ſhall be kept in cheſts ſeparate fr other bills of credit and money whatſoever, and any gold or ſilver ſo paid in ſhall be kept an ſerved in the treaſury, until the time the ſaid bills are directed by this act to be ſunk, for th poſe of paying the holders of ſuch bills; that the treaſurer ſhall open and keep a regular ſet of of and concerning the ſaid bills of credit, and of all bonds, ſubſcriptions, funds and tranſactio the ſaid office, concerning the ſame; that in all orders of the governor and council for paying ſuing any of the ſaid bills of credit, mention ſhall be made that ſuch order is to be paid the ſaid bills; and the auditor-general ſhall alſo open and keep a ſeparate book of accounts o concerning the ſaid orders, and all accounts, charges and allowances, directed to be diſcharg the ſaid bills of credit.

Committee to inſpect accounts, &c.

VII. AND BE IT ENACTED, That a committee of the houſe of delegates ſhall be appointed ſeſſion, who ſhall inſpect the books of accounts of the treaſurer and auditor, and all matter things in the ſaid offices reſpecting the ſaid bills of credit, and fully report to the houſe of dele the ſtate and condition thereof; and any of the ſaid bills of credit, which may be returned int ſaid office by any of the means mentioned in this act for ſinking the ſame, ſhall, on the receipt t of, be punched through, cutting out a piece in the middle of the bill at leaſt half an inch ſqua diameter, and ſuch bills ſhall be produced to, and counted and burnt by, the ſaid committee a next ſeſſion thereafter.

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Bills to be ſunk, &c.

II. AND BE IT ENACTED, That the ſaid bills of credit ſhall be finally ſunk and deſtroyed be- the twenty-fifth day of December, ſeventeen hundred and eighty-four, and the twenty-fifth ſune, ſeventeen hundred and eighty-five; and for that purpoſe the then holders or poſſeſſors of the ſaid bills may, between the ſaid days, bring the ſame into the treaſury of the weſtern and there deliver them to the treaſurer, who ſhall pay and deliver ſuch perſons gold or ſilver value expreſſed in ſuch bill, according to the following table, to wit:

	£.		
Johannes's, weighing 18 pennyweight,	6	0	0
Half johannes's, weighing 9 dwt.	3	0	0
Moidores, weighing 6 dwt. 18 grains,	2	5	0
Engliſh guineas, weighing 5 dwt. 6 grains,	1	15	0
French guineas, weighing 5 dwt. 5 grains,	1	14	6
Spaniſh piſtoles, not lighter than 4 dwt. 6 grains,	1	7	6
French milled piſtoles, weighing 4 dwt. 4 grains,	1	7	0
Arabian chequins, weighing 2 dwt. 3 grains,	0	13	9
Other gold coin, (German excepted,) by the pennyweight,	0	6	5
Engliſh milled crowns,	0	8	4
Other Engliſh milled ſilver at ſame rate.			
French ſilver crowns,	0	7	6
Spaniſh milled pieces of eight,	0	7	6
Other good coined Spaniſh ſilver, per ounce,	0	8	6
Any other gold coin of the ſame fineneſs of Spaniſh or Portugal coin, per ounce,	6	9	2

Counterfeiters, to ſuffer death, &c.

. AND BE IT ENACTED, That if any ſubject of this ſtate ſhall, within or without this ſtate, and perſon whatever ſhall, within this ſtate, forge or counterfeit any of the ſaid bills, or ſhall al- ſum expreſſed in any of the ſaid bills, or ſhall offer or cauſe to be offered in payment any ſuch erfeit, forged or altered bill of credit, knowing the ſame to be counterfeit, forged or altered, all be thereof convicted in the general or any county court of this ſtate, or ſhall ſtand mute, or ptorily challenge above the number of twenty of the pannel, ſuch perſon ſhall ſuffer death as a without benefit of clergy.

A tax to be impoſed, &c.

. AND BE IT ENACTED, That yearly and every year, for three years ſucceſſively, there ſhall be hereby impoſed a rate or tax of three ſhillings and nine-pence on every one hundred pounds of property within this ſtate, and ſo *pro rato*, as the ſame is or may be valued for three years; hat the ſaid rate of three ſhillings and nine-pence ſhall be collected with the other public taxes, aid into the treaſury on or before the twentieth day of September, in each of the years ſeven- hundred and eighty-two, ſeventeen hundred and eighty-three, and ſeventeen hundred and y-four, in the ſpecie or bills in which it ſhall be actually collected; and any that ſhall be ted and paid into the treaſury on the eaſtern ſhore, ſhall be, from time to time, on or be- the laſt day of September yearly, transferred and paid over to the treaſurer of the weſtern ; which ſaid tax of three ſhillings and nine-pence ſhall be payable and paid in gold or ſil- at the rates herein before mentioned, or in bills of credit emitted in virtue of this act, and not wiſe.

Subſcribers may pay, &c.

. AND, to prevent any depreciation of the ſaid bills of credit, BE IT ENACTED, That any ſub- er herein after mentioned may, at any time, pay in the whole or any part of the ſum ſubſcribed , either in ſpecie or the ſaid bills of credit, to the treaſurer of the weſtern ſhore; and that erſon poſſeſſed of any ſum of the ſaid bills of credit, not leſs than one hundred pounds, may r the ſame into the treaſury of either ſhore, and the treaſurer, who receives the ſame of ſuch ber or other perſon, ſhall give a receipt for ſuch money, expreſſing therein, that the ſame was n on account of the party's ſubſcription, or as poſſeſſor of the ſaid bills, as the caſe may be; caſe the party pays the ſame on account of his ſubſcription, he ſhall be entitled to, and the t ſhall expreſs, that intereſt of eight *per cent. per annum* ſhall be paid thereon; and in caſe the pays in the ſame as the poſſeſſor thereof, ſuch perſon ſhall be allowed, and the receipt ſhall ex- that intereſt of ſix *per cent. per annum* ſhall be paid thereon; and any ſubſcriber who ſhall pay aforeſaid ſhall be diſcharged of his ſubſcription for ſo much, and the bearers of any receipts ed by poſſeſſors aforeſaid, ſhall be entitled to receive the principal and intereſt due in ſpecie, as y had brought in the bills of credit aforeſaid within the days appointed for bringing in the .

Property to be ſold, &c.

II. AND, to ſecure the faithful and punctual payment of the ſaid bills, BE IT ENACTED, That llowing property within this ſtate, of perſons well known to this general aſſembly to be Britiſh ſubjects,

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ſubjects, within the deſcription and intent of the act of the laſt ſeſſion of aſſembly, to ſeize, cate and appropriate, all Britiſh property within this ſtate; that is to ſay, the ſeveral manors counties of Saint-Mary's, Kent, Charles, Queen-Anne's, Dorcheſter, Somerſet and Wor which belonged to the late lord proprietary, and which remain unſold by the commiſſioners o derick, late lord Baltimore, and alſo all the property of the perſons commonly called by the n the Principio Company, except the part, ſhare or intereſt, of Thomas Ruſſell, a ſubject of thi and one of the ſaid company, and except alſo the part, ſhare or intereſt of any other ſubject o or any ſubject of any other of the United States, and further excepting out of the ſaid prop the Principio company the land on Whetſtone Point, and alſo two hundred acres of the land ſaid company on Patapſco river near Harris's creek, which two hundred acres are to be laid the commiſſioners herein after mentioned, and alſo all the property within this ſtate of Antho con, John Eversfield, Andrew Buchanan, James Brown and company, Mackie, Spears and co Mackie, Spears, French and company, James Chriſtie, John Buchanan, John Glaſsford an pany, the heirs of John Hyde, the heirs of Samuel Hyde, and the heirs of Thomas Blade alſo the property within this ſtate of the ſeveral perſons following, who left this ſtate bef formation of the new government, and appear to this general aſſembly, by preſentment grand jury of the general court, to have adhered to the enemy, and thereby have elected Britiſh ſubjects, to wit: Daniel Dulany, ſon of Daniel, Daniel Dulany, ſon of Walter, and ry Addiſon, clerk, Jonathan Boucher, clerk, and Anthony Stewart; excepting out of th Henry Addiſon, his lands and other property in Prince-George's, excepting out of the pr of the ſaid Daniel Dulany, ſon of Walter, the real and perſonal property held by him in ny or as a partner with others in iron-works, and alſo the five hundred acres of land, or abouts, on which George Fitzhugh lives, and which were laid out by the agent of the ſai niel Dulany, and excepting alſo out of the property of the ſaid Daniel Dulany, ſon of D the real and perſonal property held by him in company or as a partner with others in iron-w (provided always, and be it enacted, that if any of the ſaid perſons, as above preſented, come into this ſtate by the time limitted by the act for the ſeizure and confiſcation of Briti perty, and ſhall take a trial upon the ſaid preſentments, and ſhall be acquitted of the c in the ſaid preſentments reſpectively, and all others which may be made for crimes com againſt this ſtate, and for acts which ſhew an election made to become Britiſh ſubjects, or here to the king of Great-Britain, then this legiſlature doth engage that the ſtate will rep value of the eſtates by this act taken and ſold to the perſon from whom taken, and wh come in and acquit himſelf as aforeſaid,) ſhall and may be ſold, by the commiſſioners ap de to procure confiſcated Britiſh property, on the terms and in the manner herein after di to wit: That the terms of all the ſaid ſales ſhall be, that the purchaſers ſhall, immediat the ſale, pay down the purchaſe money, or give bond to this ſtate in double the ſame, wit good and ſufficient ſecurities, conditioned for payment of one third part of the purchaſe in ſpecie, at the rates aforeſaid, or in the ſaid bills of credit to the actual value thereof, on fore the firſt day of September, ſeventeen hundred and eighty-two, with legal intereſt thereo third part thereof, as aforeſaid, on or before the firſt day of September, ſeventeen hundre eighty-three, with legal intereſt thereon, and the other third part thereof, as aforeſaid, before the firſt day of September, ſeventeen hundred and eighty-four, with legal intereſt the that on ſuch bond being given, poſſeſſion of the premiſes ſhall be delivered, and a certificate purchaſe given by the commiſſioners to the purchaſer, but the eſtate not to be diveſted out ſtate until the purchaſe money and intereſt ſhall have been fully paid, on which a deed ſhall be therefor.

To be laid off in parcels, &c.

XIII. AND BE IT ENACTED, That as to all the ſaid lands before directed to be ſold, except of the perſons commonly called by the name of the Principio Company, the ſame ſhall and m laid off in convenient parcels by the commiſſioners aforeſaid, as they may judge moſt advanta and by the ſaid commiſſioners, one of them at leaſt being preſent, expoſed to ſale on the pre or at ſome public and convenient place in the county where the land lies, at auction, after four previous notice of ſuch ſale in the Annapolis and Baltimore news-papers.

XIV. AND, as to the property of the ſaid perſons commonly called by the name of the Pri Company, it being repreſented to this general aſſembly, that a certain Mr. Waſhington, a ſub the ſtate of Virginia, is entitled to one undivided twelfth part thereof, and that the ſaid T Ruſſell is entitled to one undivided eighth part of the remaining eleven twelfth parts thereof;

Commiſſioners to inquire, &c.

ENACTED, That the commiſſioners aforeſaid ſhall, as ſoon as may be, inquire whether the ſai Waſhington, or any other ſubject of this or any of the United States, other than the ſaid T Ruſſell, is entitled to any and what ſhare or intereſt in the ſaid property; and if the ſaid co

rs shall judge it moſt for the public advantage, they ſhall be and are hereby empowered, with the ement and conſent of the ſaid Thomas Ruſſell, and any ſuch ſubject as they may judge entitled oreſaid, to divide and ſet apart, by metes and boundaries, the part or ſhare of the ſaid Thomas ell, and alſo the part or ſhare of ſuch other ſubject as aforeſaid, in the lands, or any of the lands, he Principio company, other than thoſe before excepted, and to lay out the reſidue in ſuch con- ent parcels as they may judge moſt advantageous; or if the ſaid Thomas Ruſſell, and ſuch ſub- or ſubjects as aforeſaid, ſhall chooſe that the whole of the ſaid land before directed to be ſold, ld be laid out as aforeſaid in parcels, then may the ſaid commiſſioners ſo lay out the ſame; but e ſaid Thomas Ruſſell, and ſuch other ſubject as aforeſaid, or either of them, will not agree to partition aforeſaid, nor will agree to lay off the ſaid land into parcels as aforeſaid, then the ſaid miſſioners are hereby required to iſſue their warrant, directed to the ſheriff of the county where d land lies, to ſummon thirty-ſix good and lawful men of the county aforeſaid, to meet on the ſaid d as a jury, on a certain day to be therein fixed, and the ſaid ſheriff in perſon ſhall attend, and r determining all objections (if any made,) to the perſons returned as a jury, the ſaid ſheriff ll cauſe twelve of ſuch as he ſhall adjudge good and lawful men to ſerve on the jury, to be drawn ballot, who ſhall be ſworn as a jury, to make juſt and equal partition between the ſtate and the Thomas Ruſſell, and ſuch other ſubject or ſubjects as aforeſaid, regarding the quality, ſituation value, of the reſpective lands; and the ſaid ſheriff and jury ſhall divide and ſet apart the part of ſaid Thomas Ruſſell, and alſo the ſhare or part of ſuch other ſubject or ſubjects as aforeſaid, of ſaid land, to be held in ſeveralty, by metes and bounds, as he ought to do on a writ to make ition; and the ſaid commiſſioners may lay off the reſidue in parcels as aforeſaid, and ſell the e, laid off in parcels in any manner as aforeſaid, after four weeks notice, in the manner and on terms before mentioned; and if the ſaid Thomas Ruſſell, and every ſuch other ſubject as afore- ſhall conſent to have his reſpective undivided part of the ſaid land laid out and ſold with the r, he ſhall have his juſt proportion of the purchaſe money ſecured to him, by bonds taken of purchaſer ſeparately to him, and what may be the proportion of this ſtate ſhall be ſecured by ds to this ſtate as aforeſaid, or the ſaid Thomas Ruſſell, and any ſuch other ſubject as aforeſaid, become purchaſers, perſonally, or by others on their behalf, to the amount of their ſhare or part the whole, and retain and keep to their ſeparate uſe the lands by them reſpectively purchaſed, as inſtead of ſo much of their ſhare or part of the ſales of the lands ſold; and if the commiſſioners reſaid ſhall judge it to the advantage of the public, diviſion may be made, by agreement as afore- , of the perſonal eſtate, the property of the ſaid Principio company, or by a jury ſummoned as reſaid, and ſworn, equally, fairly and impartially, to divide the ſame, and the like ſales ſhall be e of the perſonal eſtate as is before directed as to the lands, and the purchaſe money ſhall be ured in like manner; but if the commiſſioners aforeſaid ſhall judge it moſt advantageous for the blic, then may they ſell the part or ſhare of the ſtate in the ſaid property real and perſonal, or part thereof, after ſuch notice as aforeſaid, in Baltimore-town, in undivided parts, not putting to be bid for at one and the ſame time more than one undivided twelfth part of the whole intereſt the property ſo ſold in undivided parts, and the purchaſe money ſhall be ſecured and diſpoſed of aforeſaid.

XV. AND BE IT ENACTED, That the ſaid commiſſioners ſhall, after convenient notice, ſell at blic ſale, and in ſuch parcels as they may judge moſt to the public advantage, any other of the ſonal property herein before directed to be ſold, and the purchaſe money ſhall be paid, or ſecured bond as aforeſaid; and the commiſſioners are hereby directed not to ſet up any real property to at leſs than the laſt valuation by aſſeſſors. To ſell perſonal property, &c.

XVI. AND BE IT ENACTED, That bonds to the amount of one eighth part of the eleven twelfth s aforeſaid, comprehending therein the bonds of the ſaid Thomas Ruſſell, if any given by him, l be ſet apart in the treaſury aforeſaid till the general aſſembly ſhall direct therein, and that in mean-time no bills ſhall iſſue on the foundation or credit of the ſaid bonds ſo ſet apart, all which ds taken to this ſtate ſhall immediately be delivered by the commiſſioners aforeſaid to the treaſurer the weſtern ſhore; and if any ſuch bond ſhall be unpaid at any day of payment therein mentioned, treaſurer aforeſaid ſhall and may order the ſaid bond to be recorded by the clerk of the general rt of the ſhore on which the obligor or obligors reſide, and execution to iſſue againſt the body, or lands and tenements, goods and chattels, of the obligors in ſuch bonds reſpectively mentioned, ſuch bond and order ſhall be recorded, and execution ſhall accordingly iſſue, upon which the ey due on ſuch bond, with the coſts accruing, ſhall be ſatisfied, or made and levied, in ſpecie, the ſaid bills to the actual value thereof, and ſo upon every default of payment a new execution as reſaid ſhall and may iſſue by order of the treaſurer. Bonds to be ſet apart, &c.

XVII. AND

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Purchaſers to be ſecured.

XVII. AND BE IT ENACTED, That this ſtate will for ever warrant and ſecure to the purc and their heirs, any Britiſh property ſold in purſuance of this act, and will protect them peaceable poſſeſſion thereof.

What property ſhall not be ſold, &c.

XVIII. AND BE IT ENACTED, That the ſaid commiſſioners ſhall not proceed to the ſale of a perty under this act as belonging to any of the ſaid perſons, and being confiſcated becauſe o being Britiſh ſubjects, but what they ſhall be fully and clearly ſatisfied did belong to them, a not been ſold or conveyed before the firſt day of December, ſeventeen hundred and ſeventy and if any claim is put in to any part of the ſaid lands, which ſhall appear well grounded in equity, or which the ſaid commiſſioners ſhall have reaſon to believe the general aſſembly will then the ſaid commiſſioners ſhall delay ſelling the land or eſtate ſo claimed, and make return ſame, and the claim thereto, to the general aſſembly at their next ſeſſion.

Commiſſioners to receive claims, &c.

XIX. AND BE IT ENACTED, That the ſaid commiſſioners ſhall receive all claims due to the ſ of this ſtate, or the ſubjects of any other of the United States, from any of the perſons whoſe is directed to be ſold by this act; and the ſaid commiſſioners ſhall certify to the treaſurer th appearing to them to be probably due from the ſeveral and reſpective perſons whoſe eſtates are ed to be ſold as aforeſaid; and the ſaid treaſurer ſhall forbear iſſuing the ſaid bills on the cr ſuch bonds, to the amount or value of the ſame ſo certified to be probably due, till the gene ſembly ſhall have taken order therein.

Subſcriptions to be taken, &c.

XX. AND, further to ſecure the punctual payment and redemption of the ſaid bills of cred IT ENACTED, That ſubſcriptions be taken of any ſum not leſs than one hundred pounds, to in ſpecie or in the ſaid bills of credit, on or before the firſt day of November, ſeventeen h and eighty-four, every ſubſcriber giving in with his ſubſcription a particular of free-hold e real chattels to the amount, according to the valuation thereof by the aſſeſſor, of double t ſubſcribed, which ſaid ſubſcriptions ſhall be returned to and lodged with the treaſurer of the ſhore, and ſhall, from the time of ſubſcription, bind the eſtate particulariſed to pay the ſu ſcribed, in whoſever hands it may be.

Perſons empowered to receive ſubſcriptions, &c.

XXI. AND BE IT ENACTED, That each member of this general aſſembly, and the followin ſons, are empowered to receive ſubſcriptions in their ſeveral and reſpective counties, to Saint-Mary's county, John Allen Thomas, Fitzhugh Mackay, Wilfred Neale, Ignatius Tayl John De Butts; Kent county, colonel William Henry, John Page and Benjamin Chambers; Arundel county, John Weems, William Harwood, Charles Wallace, Edward Gaither, junio Philemon Warfield; Calvert county, Samuel Chew, Patrick Sim Smith, Samuel Hance, Ale Somervell and Walter Smith; Charles county, Jonathan Yates, Francis Hemmerſley, Joſhu ders, Walter Hanſon Jenifer and William M'Pherſon; Baltimore county, Andrew Buchanan, T Sollers, John Robert Holliday, Jeſſe Buſſey, Thomas Cradock, James Calhoun and Daniel B Talbot county, John Bracco, John Gibſon, Henry Banning, Joſeph Bruff and Thomas G Somerſet county, Thomas Hayward, Robert Daſhiell, Saliſbury, William Strawbridge, Joſeph bles and George Gale, of Levin; Dorcheſter county, James Murray, Joſeph Daffin, Thomas John Smoot and Daniel Folling; Cæcil county, John Dockery Thompſon, Henry Hollingſ Thomas Hughs, Benjamin Brevard and John Leach Night; Prince-George's county, William Robert Bowie, John Waring, Baruch Duckett and George Digges; Queen-Anne's county Thompſon, Charles Blake, William Wright, John Fiſher and Benjamin Kirby; Worceſter c John Selby, Peter Chaille, Thomas Purnell, Sinepuxent, Ebenezer Handy and John Poſtley derick county, Upton Sheredine, William Ritchie, William Winchester, junior, William Ma and Thomas Darnall; Harford county, Richard Dallam, John Archer, Abraham Whitacre a natius Wheeler, junior; Caroline county, Richard Maſon, Henry Dickinſon, Henry Caſſ Henry Downes; Waſhington county, Henry Schnebely, Joſeph Sprigg, William Good, N Swingaly and Ely Williams; Montgomery county, Francis Deakins, Richard Wootton, W Deakins, Charles Greenbury Griffith and William Robertſon.

Accounts to be cloſed, &c.

XXII. AND BE IT ENACTED, That on the firſt day of October, ſeventeen hundred and four, the accounts concerning all the ſaid bills of credit which ſhall have been iſſued ſhall be and ſettled, adding the intereſt which will grow due to the twenty-fifth day of December, ſev hundred and eighty-four, to the poſſeſſors of the ſaid bills, who may have carried the ſame i treaſury and taken receipts as aforeſaid, deducting what ſhall have been received on the ſai on account of the ſaid tax, and from the ſaid ſubſcribers as ſuch, and the balance, if any, ſtruck, and apportioned on the ſubſcriptions then unpaid, and notice ſhall be immediately g

napolis and Baltimore news-papers of the proportion *per centum* to be paid in on ſubſcriptions, ſhall be paid to the treaſurer of the weſtern ſhore on or before the firſt day of November, ſeen hundred and eighty-four; and if any ſubſcriber ſhall not pay in his proportion on or before day, then ſhall the treaſurer of the weſtern ſhore, as ſoon as may be, make a fair copy of the lar of the party, and certify thereon, under his hand and ſeal, the ſum ſubſcribed and the ſum nd direct the ſheriff of the county where the land lies to raiſe the ſame by ſale of ſufficient the land; and the ſheriff ſhall, immediately on receipt thereof, ſet up a copy at the court-door, mentioning in the ſaid copy the time he will proceed to the ſale, which ſhall not be leſs en or more than twenty days from the time of his advertiſement, and ſhall accordingly proceed ſo much of the land or eſtate for ready money, in ſpecie or the ſaid bills of credit, as will pay d proportion; and the ſeveral ſheriffs ſhall pay into the treaſury of the weſtern ſhore all money y reſpectively levy, receive, or be chargeable for, under the ſaid executions or orders, within days after they ſhall have levied, received, or become chargeable for the ſame, under the of double the ſum they ought ſo to have paid. CHAP. XXIII.

II. AND BE IT ENACTED, That every ſubſcriber who pays in his ſubſcription, or any part , or on whoſe eſtate the ſame ſhall be levied, ſhall be entitled to and receive from the public ncipal money paid or levied, in ſpecie, at the rate aforeſaid, with intereſt of eight *per cent.* from the time the ſame comes into the treaſurer's hands, till payment; and this general aſ- do hereby declare, and pledge the public faith, that all the ſaid bills of credit, and receipts to the poſſeſſors of the ſaid bills, who ſhall carry the ſame in as aforeſaid, ſhall be fully re- and ſatisfied on or before the twenty-fifth day of June, ſeventeen hundred and eighty-five, ng to the purport of the ſaid bills and receipts, and that ſure and effectual funds ſhall be eſta- to pay all intereſt which may become due to ſubſcribers by the twenty-ninth day of Septem- enteen hundred and eighty-five, at fartheſt, and the yearly intereſt at leaſt, as it may after- riſe, and the principal as ſoon as may be; and that if the circumſtances and condition of this ill permit, the payment of intereſt and principal ſhall be ſpeedier, or even any advance, if it prevented. Subſcribers to receive ſpecie, &c.

taxes and duties impoſed and appropriated for the redemption of the bills of credit emitted by this act, are repealed by ber, 1782, ch. 29, but the arrears then due were to be collected as before.

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CT to aſcertain officers fees in ſpecial courts. Lib. TBH. No. fol. 36.

Paſſed 27th of June, 1781.

T ENACTED, *by the General Aſſembly of Maryland*, That there ſhall be allowed to each judge of ſpecial court of oyer and terminer and gaol delivery twenty ſhillings ſpecie per day for his ce in court, beſides the like allowance, if he lives out of the county in which ſuch court held, for each day's itinerant charges in going to and returning from ſuch court; and that all ial officers, belonging to or attending ſuch court, ſhall be entitled to the ſame fees as are or chargeable by law for the like ſervices performed at the ſame time in the general court. Allowance to judges, &c.

This act to continue three years, and to the end of the next ſeſſion of aſſembly which ſhall thereafter. Duration.

ued for three years, &c. by 1784, ch. 83; for three years, &c. by November, 1787, ch. 38, to 30th October, 1798, &c. , ch. 84, and by 1798, ch. 71, to 30th October, 1805, &c. This act was likewiſe revived and continued by 1795, ch. 83, January, 1798.

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ther ſupplement to the act to raiſe the ſupplies for the year ſe- teen hundred and eighty-one. Lib. TBH. No. A. fol. 36.

REAS by the act to raiſe the ſupplies for the year ſeventeen hundred and eighty-one, the bills of credit of the emiſſion of this ſtate, and of the continental emiſſion in this ſtate, were ceived for the firſt part of the tax impoſed by the ſaid act at the reſpective comparative paſſing the time of payment, which was to be aſcertained by the commiſſioners of the tax for the counties monthly, in the manner directed by the ſaid act; and by a ſupplement to the ſaid enacted, that the ſaid new bills of credit ſhould be received, if tendered, at the rate of the value of Spaniſh milled dollars, at any time before the firſt day of April laſt, by perſons to pay in money for the part of the tax payable the tenth day of April laſt, or the whole to be paid under the firſt mentioned act: And whereas the commiſſioners of the tax have and fixed the comparative paſſing value of the ſaid bills of credit, ſince the ſaid firſt day of Preamble.

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of April laſt, in ſome of the counties at two of the ſaid bills of credit for one Spaniſh doll others of the counties, for the ſame month, at three for one, and in ſome of the counties a five for one, which grievous inequality ought to be rectified;

Payments, how to be credited, &c.

II. BE IT ENACTED, *by the General Aſſembly of Maryland*, That all payments made in any of t bills of credit ſince the firſt day of April laſt, or hereafter to be made, of the ſaid tax be credited and taken at the rate of three dollars of the ſaid bills of credit for one Spani lar; and if any perſon hath paid more than his firſt half year's tax, he ſhall have credit for th plus in his ſecond half year's tax; and if any perſon hath paid too little, at the rate aforeſ ſhall be chargeable for the deficiency at the time the ſecond half year's tax becomes payable collected and levied therewith, notwithſtanding any receipt or acquittance given.

Claſs money to be collected, &c.

III. AND BE IT ENACTED, That all the claſs and recruit money collected ſince the firſt April laſt, or which yet remains to be collected under the act to raiſe recruits, paſſed at the la on of aſſembly, and directed to be paid into the public treaſury, ſhall be collected by the reſ lieutenants at the ſame rates of depreciation as is herein before directed in the payment of the

Bonds not to be put in ſuit, &c.

IV. AND BE IT ENACTED, That the bonds of the ſeveral collectors of the tax ſhall not be ſuit until the firſt day of Auguſt next, and that the people ſhall be indulged until the twenti of July, to make their payments of the firſt part of the ſupplies to be raiſed for the year ſev hundred and eighty-one.

Payment may be made in ſpecie, &c.

V. AND BE IT ENACTED, That the payment of the ſecond part of the tax impoſed by the f mentioned act, and therein directed to be made on or before the tenth day of October, may b in ſpecie, as mentioned in the ſaid act, or in the ſaid bills of credit at the rate of three do the ſaid bills of credit for a Spaniſh dollar, or in the ſpecific articles, and at the rates follow wit: Wheat at ſix ſhillings per buſhel, beef on the hough, without any allowance for the fifth q at four-pence per pound, crop tobacco, weighing net nine hundred and fifty at leaſt, of the preſent year, at ſixteen ſhillings and eight-pence *per cent.* without any allowance for caſk; a where payment of the firſt half year's tax aforeſaid ſhall be hereafter made in ſpecific article payment ſhall be made in ſome one or more of the ſpecific articles aforeſaid, and at the rates before mentioned.

VI. AND, whereas the commiſſioners and other officers in ſome of the counties may ha ſeveral acts as officers in the execution of the ſaid act, after the days appointed for the doi acts; BE IT ENACTED, That all ſuch acts done as aforeſaid ſhall be valid, as if the ſame h done on the days or within the times appointed or limitted for doing the ſame; and in caſe lector hath not given ſuch bond as was directed for the collection of the tax impoſed by the or any former act, the commiſſioners for his county may take bond from ſuch collector, date the time and with ſuch ſecurity as he ought to have given the ſame, which ſhall be of the fect, to every intent and purpoſe, as if ſuch bond had actually been ſealed and delivered on of the date thereof.

Acts done made valid, &c.

VII. AND, whereas the commiſſioners of the tax for ſeveral of the counties in this ſta thought proper, under the act aforeſaid, to deduct from the aſſeſſment of people ſuffering very and inconſiderable loſſes, the whole amount of ſuch loſs from the ſum payable annually on ſ ſons property, and have actually ſuſpended the collection of the tax on the property of ſuch ſ contrary to the ſpirit, letter, and plain intention of the ſaid act; BE IT ENACTED, That al ſions by the commiſſioners of the tax, further or beyond the tax on the groſs valuation by t ſors of the property taken away or deſtroyed by the enemy, except in caſes herein aft tioned, ſhall be void, and that the collectors, after deducting the aſſeſſors valuation of the ſo taken away or deſtroyed ſince the laſt valuation thereof, from the value of ſuch perſon's p ſhall proceed to collect the tax due on the reſidue, in the manner and at the time of the c of the ſecond part of the tax impoſed by the ſaid act.

Suſpenſions void, &c.

VIII. AND BE IT ENACTED, That further relief ſhall be given to the perſons herein a tioned, they having been very great ſufferers, in great meaſure diſabled to pay their taxes, a fore ought to be further relieved, according to the intention of the ſaid act, to wit: In Sain county, Robert Armſtrong, Nicholas Sewell and Herbert Blackſtone; Anne Tilly and Anne in Anne-Arundel county; in Calvert county, William Fitzhugh, William Allein and Joh in Charles county, George Dent, ſenior, and Samuel Jones; in Somerſet county, John Ste

Further relief given, &c.

D

ter county, Benjamin Keene, Henry Keene, William Barnes, Valentine Barnes and Alex- Douglaſs. CHAP. XXV.

AND, whereas it appears that the commiſſioners of the tax for Waſhington and Caroline coun- ve ſuſpended the collection of the treble tax from certain nonjurors, contrary to the words tention of the act paſſed laſt ſeſſion, relating to the treble tax impoſed on nonjurors and ab- ; BE IT ENACTED, That the commiſſioners of the tax for Waſhington and Caroline counties Returns to be reviewed, &c. ed to review their return, and the reaſons aſſigned for ſuſpenſion, and to ſuſpend the col- of the treble tax from ſuch nonjurors only, in their counties, as neglected to take the oath mation of fidelity and ſupport to this ſtate from ſcruples of conſcience only, and not from at- nt to Great-Britain, or diſaffection to this ſtate or its independence, and that they report the f the nonjuror relieved, and his reaſons for his neglect, to the general aſſembly at their next ; and that the collectors of the tax in the ſaid counties of Waſhington and Caroline proceed collection of the treble tax from the nonjurors of their counties, where ſuſpenſions ſhall not ted on review as aforeſaid, in the ſame manner as if no ſuſpenſion had been already made.

AND, whereas divers public officers, who were obliged by law to receive the old bills of credit twentieth day of March laſt, did receive ſums thereof, and have not, from accident or want , delivered the ſame into the treaſury in time; BE IT ENACTED, That the treaſurer of either Old bills may be received, &c. hall receive, of any of the ſaid officers on his ſhore, the old bills of credit by ſuch officers received on or before the twentieth day of March laſt, and which he ought by law to have d on or before that day, ſuch officer lodging with ſuch bills of credit his affidavit, that the livered in were actually received by him in the courſe of his office on or before the ſaid twen- day of March.

AND, whereas it is prudent to provide for laying in a large quantity of proviſions, which may eſſary for the uſe of the army, and the good people of this ſtate, from want of timely notice of emands, and from other cauſes, have ſeveral times not been prepared to furniſh the neceſſary s, and the legiſlature hath been impelled, by the urgency of the occaſion, to cauſe ſuch ſup- to be ſeized, which at times hath brought diſtreſs on individuals, occaſioned great waſte and nequal valuations, and hath at laſt afforded but very little relief to the army; BE IT THERE- NACTED, That there ſhall be and is hereby impoſed an additional rate or tax of fifteen ſhil- An additional rate impoſed, &c. ſpecie, rating Spaniſh dollars at ſeven ſhillings and ſix-pence, on every hundred pounds worth perty within this ſtate, according to the laſt valuation thereof by the aſſeſſors, which ſhall be e and paid on or before the twentieth day of January next, in ſpecie, or in any of the ſaid credit at the reſpective rates aforeſaid, or in ſome of the articles following, at the rates affixed, to wit: Good merchantable pork, each hog weighing not leſs than ninety, and well on-corn, at thirty-three ſhillings and four-pence per hundred; good merchantable wheat, g not leſs than fifty-eight pounds per buſhel, at ſix ſhillings per buſhel; but as in ſome in- individuals have ſuffered great loſs and injury in their aſſeſſed property by the depredations enemy, the commiſſioners of the tax may, in any ſuch inſtances, deduct from the valuation of ndividual's property, ſuch loſs, or ſo much as his aſſeſſed property is leſſened in value by ſuch

AND BE IT ENACTED, That all able bodied male inhabitants of this ſtate, being free per- Certain perſons to pay, &c. who have no families, and are above the age of twenty-one years and under fifty, and whoſe y is not valued above thirty pounds, ſhall be aſſeſſed the ſum of ſeven ſhillings and ſix-pence of all other taxes, and the ſame ſhall be collected by the collectors in the ſeveral counties in e manner as the ſaid fifteen ſhillings, or by execution of the body of the ſaid perſon reſpec- making default.

AND BE IT ENACTED, That the commiſſioners of the tax in their ſeveral counties ſhall con- Commiſſioners to continue collectors, &c. or appoint collectors of the tax, county commiſſaries of proviſions, places for the receipt and of the proviſions, and mills for grinding up the wheat which may be collected under this act, might appoint by the ſaid act to raiſe the ſupplies for the year ſeventeen hundred and eighty- d generally that the ſaid tax impoſed by this act ſhall be collected, levied, accounted for and to the treaſury, in the ſame manner as the ſecond part of the tax impoſed by the ſaid act is directed to be collected, levied, accounted for and paid into the treaſury, and under the alties; that diſtreſſes for levying the ſaid tax ſhall and may be made at any time after the ntieth day of January, the collectors accounts ſhall be ſettled on or before the tenth day of y next, and the balance thereof ſhall be paid by the twenty-fifth day of February, and the

CHAP. XXV.

like proceedings ſhall be had on collectors bonds for non-payment, as are by the ſaid act direc default of payment of the tax collected under the ſaid act.

New bills to be taken in payment, &c.

XIV. AND BE IT ENACTED, That the new bills of credit to be emitted under the act for th ſion of bills of credit not exceeding two hundred thouſand pounds, on the ſecurity of dou value in lands, to defray the expences of the preſent campaign, ſhall be taken in the pay all public taxes impoſed by the ſaid act to raiſe the ſupplies for the year ſeventeen hund eighty-one, and the tax impoſed by this act, at par with ſpecie, and alſo in payment of all fines and forfeitures, payable for the uſe of the ſtate.

Collection ſuſpended, &c.

XV. WHEREAS it is repreſented by the honourable le chevalier d'Anmours, conſul-general moſt chriſtian majeſty for this and the four ſouthern ſtates, that the Americans ſettled in Fra joy the moſt unlimitted liberty with reſpect both to their perſons and properties, that not them is ſubject to any perſonal or pecuniary duties, and therefore he requeſted that the ſub France, and their moveables, may be exempted from the payment of any taxes on ſuch pr and from militia duty; BE IT THEREFORE ENACTED, That the collection of the tax on any p property, *bonâ fide* belonging to any ſubject of his moſt chriſtian majeſty, who hath or may co this ſtate for the purpoſes of commerce, or to be a temporary inhabitant only, and who ſha certified by the conſul-general of France for this ſtate to the commiſſioners of the tax whe perſon ſhall reſide, ſhall be ſuſpended, until it be aſcertained what privileges the ſubjects of th ſhall be entitled to enjoy in France, and the general aſſembly ſhall take further order in the pr and any ſuch ſubject of France ſhall alſo be exempted from any fine for not performing mili militia duty, until the further order of the legiſlature.

CHAP. XXVI.

Paſſed 27th of June, 1781.

A Supplement to the act to continue and explain the powers veſted in the ſpecial council ap on the eaſtern ſhore. Lib. TBH. No. A. fol. 40.

CHAP. XXVII.

An ACT to explain and amend the act (a) for the better ſecuri the government. Lib. TBH. No. A. fol. 41.

(a) October, 1777, ch. 20.

Preamble.

WHEREAS male ſubjects of this ſtate, who were above eighteen years of age, and were this ſtate at the time of paſſing the act for the better ſecurity of the government, on purpoſes, in any of the neighbouring ſtates, or in parts beyond the ſeas, and have returned in ſtate ſince the firſt day of March, ſeventeen hundred and ſeventy-ſeven, or may hereafter retu this ſtate, are not by the ſaid act ſubject to the treble tax, and other diſabilities impoſed by t act for their not taking, repeating or ſubſcribing, the oath of fidelity and ſupport to this ſta are ſuch perſons by the laws conſidered as nonjurors; for remedy whereof in future,

Perſons returning to take the oath, &c.

II. BE IT ENACTED, *by the General Aſſembly of Maryland*, That every ſuch male perſon, wh hereafter return into this ſtate, unleſs he ſhall, within one month next after his return as afo take, repeat and ſubſcribe, the oath, or if a quaker, menoniſt or tunker, the affirmation, of and ſupport to this ſtate, before the governor and council, or ſome magiſtrate of the city or where he reſides, ſhall be conſidered as a nonjuror within the intent of the ſaid act, and ſhall ject to the treble tax, and all other diſabilities impoſed on nonjurors by that or any other act

CHAP. XXVIII.

An ACT to prevent diſaffected emigrants from ſettling in this ſtate, and to detect and pu diſaffected, and to prevent any correſpondence or trade with the enemy, and to puniſh miſdemeanors. Lib. TBH. No. A. fol. 42.

To continue during the preſent war with Great-Britain. Expired.

CHAP. XXIX.

An ACT to continue the acts of aſſembly therein mentioned. TBH. No. A. fol. 49.

Several acts continued.

BE IT ENACTED, *by the General Aſſembly of Maryland*, That an act of aſſembly, entitled, for the amendment of the law, made at a ſeſſion of aſſembly begun and held at the city o

CHAP. XXIX.

...n Tuesday the sixteenth day of November, seventeen hundred and seventy-three, (a) and a ...mentary act to the act, entitled, An act for the amendment of the law, made at a session of ...ly begun and held at the city of Annapolis on Monday the twenty-sixth day of October, seven-...hundred and seventy-eight, (b) be and they are hereby continued, and shall be and remain in ...rce for and during the term of seven years, and to the end of the next session of assembly ...shall happen thereafter; that another act of assembly, entitled, An act to remedy some evils ...r to servants, made at a session of assembly begun and held at the city of Annapolis the eighth ...May, seventeen hundred and fifty, (c) be and is hereby continued, and shall be and remain ...force for and during the term of seven years, and to the end of the next session of assembly ...shall happen thereafter; that another act of assembly, entitled, An act for the gauge of barrels ...k, beef, pitch, tar, turpentine, and tare of barrels for flour or bread, made at a session of as-...begun and held at the city of Annapolis the fifth day of August, seventeen hundred and forty-...) be and is hereby continued, and shall be and remain in full force for and during the term of ...years, and to the end of the next session of assembly which shall happen thereafter; that ...r act of assembly, entitled, An act to regulate the criminal business in Baltimore county, made ...sion of assembly begun and held at the city of Annapolis on Tuesday the sixteenth day of No-..., seventeen hundred and seventy-three, (e) be and is hereby continued, and shall be and re-...in full force for and during the term of seven years, and to the end of the next session of as-...which shall happen thereafter; that another act of assembly, entitled, An act for suspending ...wers of the commissioners for building the court-house and prison in Harford county, made at ...n of assembly begun and held at the city of Annapolis on Wednesday the twenty-third day of ..., seventeen hundred and seventy-four, (f) be and is hereby continued, and shall be and remain ...force until the end of the next session of assembly; that another act of assembly, entitled, An ...regulate the militia, made at a session of assembly begun and held at the city of Annapolis on ...y the sixteenth day of June, seventeen hundred and seventy-seven, (g) and a supplementary ...the act, entitled, An act to regulate the militia, made at a session of assembly begun and held ...city of Annapolis on Friday the thirty-first day of October, seventeen hundred and seventy-...(h) and an additional supplement to the act, entitled, An act to regulate the militia, made at ...n of assembly begun and held at the city of Annapolis on Tuesday the seventeenth day of ..., seventeen hundred and seventy-eight, (i) be and they are hereby continued, and shall be and ...in full force for and during the term of one year, and to the end of the next session of assem-...ich shall happen thereafter; that another act of assembly, entitled, An act for the more effec-...nishment of certain offenders, and for the taking from them the benefit of clergy, made at a ...of assembly begun and held at the city of Annapolis the twenty-sixth day of April, seventeen ...d and thirty-seven, (k) be and is hereby continued, and shall be and remain in full force for ...ring the term of one year, and to the end of the next session of assembly which shall happen ...ter; that another act of assembly, entitled, An act for enlarging the powers of the governor ...uncil, made at a session of assembly begun and held at the city of Annapolis on Monday the ...day of November, seventeen hundred and seventy-nine, (l) and the supplement to the act, ..., An act for enlarging the powers of the governor and council, made same session, (m) be ...y are hereby continued, and shall be and remain in full force for and during the term of one ...and to the end of the next session of assembly which shall happen thereafter; that another act ...mbly, entitled, An act to authorise the lieutenants of the militia to appoint field-days, and to ...the payment and mode of recovering militia fines in specie, or the value, made at a session of ...y begun and held at the city of Annapolis on Tuesday the sixteenth day of October, seven-...ndred and eighty, (n) be and is hereby continued, and shall be and remain in full force for ...ring the term of one year, and until the end of the next session of assembly which shall hap-...ereafter; that one other act of assembly, entitled, An act to establish a market in Frederick-...in Frederick county, and for the regulation of the said market, made at a session of assembly ...and held at the city of Annapolis on Tuesday the sixth day of November, seventeen hundred ...enty, (o) be and is hereby continued, and shall be and remain in full force for and during the ...of seven years, and to the end of the next session of assembly which shall happen thereafter.

...November, 1773, ch. 7. (b) October, 1778, ch. 22. (c) 1750, ch. 5. (d) 1745, ch. 15. (e) November, 1773, ch. 20. ...774, ch. 13. (g) June, 1777, ch. 17. (h) October, 1777, ch. 21. (i) March, 1778, ch. 12. (k) 1737, ch. 2. ...ovember, 1779, ch. 17. (m) Ch. 34. (n) October, 1780, ch. 31. (o) November, 1770, ch. 4.

CHAP. XXX.

...CT to abrogate and abolish part of the thirty-seventh article of the form of government. Lib. ...H. No. A. fol. 51.

Passed 27th of June, 1781.

CHAP. XXXI.

...CT to abrogate and abolish the forty-fifth article of the form of government. Lib. TBH. ...A. fol. 51.

CHAP. XXXII.

Passed 27th of June, 1781.

An ACT to alter part of the fifty-fifth article of the form of government. Lib. TBH. No. A.

Neither of the above three acts was confirmed by the general assembly, and therefore they have ceased to have any ope

CHAP. XXXIII.

An ACT to secure the certain redemption of the bills of c emitted by this state, and for which confiscated British pro was pledged. Lib. TBH. No. A. fol. 52.

How property is to be sold, &c.

BE IT ENACTED, *by the General Assembly of Maryland*, That the commissioners appointed to p confiscated British property by authority and directed to sell the iron furnace, commonly the White Marsh Furnace, and the forges commonly called the Long Caln Forge, in Ba county, late belonging to James Russell and company, and all the lands and stock, real, perso mixed, belonging to them in company or partnership, within this state, in the manner and terms following, to wit: The said commissioners may sell at auction any lands, entire or in p negroes (in families, not separating husbands from their wives, or parents from their childre stock, not necessary or proper for the carrying on the said furnace or forge, and which may without injury to the sale thereof, as herein after directed, on the premises, or at Baltimor after four weeks notice of the sale in the Annapolis and Baltimore news-papers, and by ha sent to the several counties of the state; and the said commissioners may sell at auction the fu nace and forge, and the lands proper or necessary for their support, with the negroes, stock, u and all other articles mentioned in the inventory made by the said commissioners, in undivided or parts, not exceeding one tenth, on the premises, or at Baltimore-town, after not less th weeks notice of the sale in the Pennsylvania, Annapolis and Baltimore news-papers, and by bills sent to the several counties of the state; and the said commissioners shall take bonds fr purchasers, with two securities, (each having real property in the state assessed to the value purchase money,) payable to the state in specie, or bills of credit emitted by the act to ena treasurer of the western shore to draw and sell bills of exchange, and for an emission of bills dit if necessary, on or before the first day of January, seventeen hundred and eighty-six; and n shall be taken for more than one hundred pounds, and the real property sold shall not be co until payment, but real or personal property may be delivered to the purchaser, after bond w curity given as aforesaid, and after payment of the purchase money for real property, the sai missioners shall give a deed for the same, but in no case shall the said commissioners set up any p to sale at less than two thirds of the real value; and the commissioners shall deliver the bond by them as aforesaid, as soon as possible, to the treasurer of the western shore; and if any bo be unpaid on the said first day of January, seventeen hundred and eighty-six, the said treasur direct the said bond to be recorded by the clerk of the general court of the shore on which th gor or obligors reside, and execution to issue against the body, or the lands and tenements, goo chattels, of the obligors in such bonds respectively mentioned, and such bond and order shall corded, and execution shall accordingly issue, upon which the money due on such bond, with th accruing, shall be satisfied, or made and levied, in specie, or the said bills of credit.

Persons may bring in bills, &c.

II. AND BE IT ENACTED, That any person may bring in to the treasurer of the western sh sum of the said bills of credit, and on paying the same, including interest due thereon, to the of the principal money and interest due on any of the bonds aforesaid, shall be entitled to an ment by the treasurer of any bond he shall desire, and by virtue of such assignment, he shall titled, in his own name, or the name of his assignee, to the same remedy as the public to payment; and if any one shall incline to pay the purchase money, the commissioners shall rece same, in specie or the said bills of credit, calculating the interest due on such bills of credit, soon as possible deliver the same to the treasurer of the western shore, who shall cause the sam punched through, cutting out a piece in the middle of the bill at least half an inch square or di and such bills shall be produced to, and counted and burnt by, a committee to be appointed house of delegates at the next session of assembly thereafter; and any gold or silver paid by a chaser to the said commissioners, or into the treasury, shall be kept for the purpose of redeem said bills of credit, and shall not be applied to any other purpose.

Purchases warranted, &c.

III. AND BE IT ENACTED, That this state will for ever warrant and secure to the purchas their heirs any property sold in pursuance of this act, and will protect them in the peaceable on thereof.

C

CHAP. XXXIV.

Supplement to the act (a) for the defence of the bay. Lib. TBH. No. A. fol. 54.

Passed 27th of June, 1781.

(a) October, 1780, ch. 34.

CHAP. XXXV.

Supplement to the act (b) to settle and adjust the accounts of the troops of this state in the service of the United States, and for other purposes therein mentioned. Lib. TBH. No. A. fol. 55.

(b) October, 1780, ch. 38.

Preamble.

WHEREAS doubts have been entertained by the commissioner appointed to settle and adjust the accounts of the troops of this state with respect to the time to which the said depreciation shall be carried;

Accounts to be adjusted, &c.

I. BE IT ENACTED, *by the General Assembly of Maryland*, That the said commissioner shall adjust the accounts of the troops of this state, and settle for all sums of money received since the month of July according to the table of depreciation contained in the act to adjust the debts due from this state.

Certificates to bear interest, &c.

II. AND BE IT ENACTED, That the commissioner appointed, or to be appointed, in virtue of the act shall, in such certificates as he shall hereafter make, certify that the money due bears interest at the rate of six *per cent. per annum* from the first day of August, seventeen hundred and eighty; and the said commissioner is also to certify under his hand, if required, on any certificate already granted him, and produced to him for that purpose, that the interest thereon commences from the first day of August aforesaid.

Officers, &c. esteemed a part, &c.

III. AND BE IT ENACTED, AND IT IS HEREBY DECLARED, That all officers and men in service, who are deemed and allowed by the acts of congress as part of the quota of this state of the continental army, and no others, shall be allowed by the said commissioner as the officers and soldiers of the line of this state within the intent of the said act.

Persons re-enlisting to be allowed, &c.

IV. AND, whereas many persons, who served as non-commissioned officers and privates in the quota of this state of the continental army for one year and more, on the expiration of the time for which they enlisted have either been advanced to be commissioned officers, or have enlisted in the quota of this state, and now are, or at the time of passing the said act were, in the quota of this state, or hereafter may enter into the service for three years or during the war; BE IT ENACTED, That any such person shall be allowed for the depreciation of his pay which arose in the time of his service aforesaid as if such person had entered as a recruit, according to the act of the last session to procure recruits; and that in the settlement of the account of the officers and soldiers of the troops of this state within the intent of the said first mentioned act, the same act shall be taken to commence on the second day of February, seventeen hundred and eighty-one.

How the price is to be settled, &c.

V. AND BE IT ENACTED, That in the settlement of the price of any cloathing chargeable to any of the said officers or men, whether furnished by this or the United States, the commissioner shall charge the same at the price the like cloathing or goods sold for on the seventh day of October, seventeen hundred and seventy-six, but not to exceed the current price of such goods in times of peace, with fifty *per cent.* added thereto.

Medical officers to be settled with, &c.

VI. AND, whereas inhabitants of this state of the medical department, not attached to the line or quota of troops of any state, are not included in the act to settle and adjust the accounts of the troops, and are recommended by congress to be provided for by this state; BE IT ENACTED, That the said commissioner shall settle and adjust the accounts of such officers of the medical department, according to the scale of depreciation settled by this and the former act.

Cloathing to be deducted, &c.

VII. AND, whereas certain stores, furnished officers and soldiers agreeable to the act relating to officers and soldiers of this state in the American army, and for other purposes therein mentioned, passed July session, seventeen hundred and seventy-nine, have not been accounted for, because the articles were intended in lieu of interest; and it is reasonable that the officers and soldiers shall be answerable for any of the articles aforesaid, furnished since the last day of July, seventeen hundred and eighty, as well as for cloathing furnished before and since that day; BE IT ENACTED, that there shall be deducted, out of the pay to arise due since the said last day of July, the real value of any cloathing or other articles furnished since that time.

CHAP.

CHAP. XXXVI.

Passed 27th of June, 1781.

An ACT relating to public creditors. Lib. TBH. No. A. fol.

Preamble.

WHEREAS this government hath neceſſarily incurred a very conſiderable ſtate debt, curing the means to defend the property, lives and liberties, of its citizens, and it is the ability of the ſtate immediately, or for ſome ſmall time, from the deranged ſtate of our fi and the very large ſums of money abſolutely neceſſary to deſray the expences of the preſent ca to diſcharge the principal or intereſt due; and juſtice requires that no preference ſhould be g public creditors; and it is the firm and declared reſolution of this general aſſembly to make pr at the next ſeſſion, at all events, for the punctual payment of intereſt on all public debts, liq agreeable to this act, and the act to adjuſt the debts due from this ſtate, paſſed this ſeſſion, poſſible to diſcharge part of the principal, in proportion to each debt;

Claims to be adjuſted, &c.

II. BE IT ENACTED, *by the General Aſſembly of Maryland*, That the claims of all public cre whether on ſpecie or current money, flour or other ſpecific contracts, ſhall be adjuſted and as ſoon as poſſible, by the auditor-general, (or his deputy,) in ſpecie, ſubject to the examinati correction of the governor and the council, and certificates may be given therefor, bearing i

* Chapter 17.

agreeable to the act paſſed this ſeſſion * to adjuſt the debts due from this ſtate; and if any c ſhall decline receiving ſuch certificate, he may have a certificate from the governor and co the ſum of ſpecie due to him from the ſtate, ſigned by their clerk, and ſuch certificate evidence of the debt owing by the public to ſuch creditor, and the ſame ſhall be paid to hi affignee.

Intereſt to be paid, &c.

III. AND BE IT ENACTED, That all intereſt to ariſe on certificates iſſued on the adjuſt public debts, agreeable to the acts of this ſeſſion, ſhall be punctually paid in ſpecie, or the f real money, to the ſatisfaction of the creditor; and this aſſembly engage and plight the publ and honour, that ample proviſion ſhall be made for this purpoſe at the next ſeſſion of aſſembly, poſſible to pay part of the principal in proportion to each debt.

Debts in tobacco, how to be paid, &c.

IV. AND BE IT ENACTED, That all debts due from this ſtate in tobacco, for tobacco bo or payable in that article, ſhall be diſcharged and paid in tobacco as ſoon as poſſible, agree the terms of the loan or contract; and the debt contracted for cloathing bought or ſeized un act of this ſeſſion, and no other debt, may be paid by the ſale or exchange of public flour or t

State emiſſions to be deſtroyed, &c.

V. AND BE IT ENACTED, That any bills of credit of the two ſtate emiſſions in June laſt, hereafter to be brought into the treaſury, ſhall immediately be punched through, and kept i ſafe and ſecure place, to be counted and deſtroyed by a committee of the houſe of delegates next ſeſſion of aſſembly, and no more of the ſaid bills emitted for exchange ſhall be iſſued.

Specie to be tranſmitted, &c.

VI. AND BE IT ENACTED, That the governor and the council be requeſted to direct the ſp the hands of the ſtate agent, at the Havanna or elſewhere, to be tranſmitted in the moſt pro ſafe manner, and to lay out the ſaid ſpecie in the recruiting ſervice, and no other; and the g and council are requeſted to ſend any public flour or tobacco which they ſhall hereafter think to diſpoſe of, to purchaſe cloathing and other neceſſaries for our troops, to Philadelphia, the ſold, if the price there ſhould exceed the price in this ſtate with the charge of tranſportati they may, out of the ſales, advance to the delegates of this ſtate in congreſs one half of allowed to them by the public.

And ſhall be advanced, &c.

VII. AND BE IT ENACTED, That the ſpecie now in the treaſury, or which may be paid in purchaſe of iron, or any other public property, and which ſpecie is not already appropriat exceeding four thouſand pounds, ſhall be advanced to the troops of this ſtate in part of the that is to ſay, four dollars to each non-commiſſioned officer, and three dollars to each private, ing to the ſouthward, and the reſidue to be divided equally amongſt the officers of the Maryl now ſerving to the ſouthward, and thoſe who are going there to ſerve the preſent campaig that as ſoon as ſufficient money can be obtained, the like advance be made to the non-comm officers and privates now in ſervice to the ſouthward, and the like advance to the other of the Maryland line as above directed.

Governor, &c. may apply ſums, &c.

VIII. AND, whereas it may be inſupportably diſtreſſing to many perſons, who are in very circumſtances, and whoſe claims againſt the public have ariſen for their perſonal labour, or pri for their perſonal labour, to be delayed of payment; BE IT ENACTED, That the governor a

apply such sums as they may think proper of the bills of credit to be emitted in virtue of the this session, * not exceeding in the whole three thousand pounds, in defraying the expence of es, and satisfying the just claims of the most distressed of the public creditors, already arisen principally for, their personal labour.

CHAP. XXXVI.

* Chapter 23.

AND, whereas by the further supplement to the act to raise the supplies for the year seventeen and eighty-one, * the bills of credit of this state already emitted, and the continental bills lit emitted in this state, in the future payment of taxes, fines, forfeitures, and so forth, are aid at the rate of three dollars of the said emissions for one silver dollar, and there is now reason to expect the said bills of credit will appreciate; BE IT ENACTED, That in case the said credit should appreciate, and become of more value than at the rate of three dollars of those ns respectively for a silver dollar, the governor and council may, and they are requested, from time, to ascertain the value of the said bills of credit respectively, compared with specie, cause the same to be made as public as possible; and the said bills of credit shall thereafter be ingly received in payments at such value, instead of three for one as directed by the said act.

* Chapter 25.

Governor, &c. to ascertain the value, &c.

CHAP. XXXVII.

ACT to dispose of certain confiscated British and forfeited property. Lib. TBH. No. A. fol. 59.

Passed 27th of June, 1781.

IT ENACTED, That the commissioners for the time being to preserve confiscated British property, shall be and are hereby empowered to sell and dispose of the lands belonging to the perommonly called the Principio Company on Whetstone Point, and the two hundred acres near 's creek, excepted by the act of the present session for the emission of bills of credit not exg two hundred thousand pounds, on the security of double the value in lands, to defray the es of the present campaign, in the manner herein after directed; that is to say, that the said ioners, with the assent of Thomas Russell, who is one of the partners in the said company, ith the assent of any other subject or subjects of this or any other of the United States, who to them to be entitled in the said lands as a partner in the said company, lay out the said in such small and convenient parcels as they may think proper, or divide and lay off the shares ts of the said Thomas Russell, and such other subject or subjects aforesaid, in severalty, or will not agree as aforesaid, cause the same to be laid off in severalty by a jury, in like manthey are empowered to do as to other of the lands of the said company by the said act, and he approbation of the governor and council, sell the said lands hereby directed to be sold, or rt or parts thereof, at auction, on four weeks notice in the Annapolis and Baltimore newsfor ready money or short credit, payable in money only; or if the said commissioners shall it most for the advantage of the public, they may, with the approbation of the governor and l, dispose of the same, or any part thereof, reserving and laying out on Whetstone Point two on the best water, and most proper for ship-yards and warehouses, and four other acres from ter, for the use of the public, and also reserving for the public the land whereon the fort is and as much else as may be necessary for the use thereof, by way of lottery; and if the or parts of the said Thomas Russell, and such other subject or subjects aforesaid, shall be sold ion or disposed of by way of lottery, the said commissioners shall deliver over to them their portion of the net produce, and the residue of the money produced by the sale, in any manner id, shall be paid to the treasurer of the western shore, and be subject to the orders of the or and council.

Lands on Whetstone Point to be sold, &c.

PROVIDED, AND BE IT ENACTED, That the land on Whetstone Point, recovered by verdict in provincial court by William Lux, deceased, against the Principio company, shall not be laid any manner aforesaid as the lands of the said Principio company, but that the same shall re- the same state as if this act had not been made.

Proviso.

AND BE IT ENACTED, That the commissioners aforesaid shall and are hereby empowered to dispose of any negroes, or other personal property of British subjects, which they may judge ably such, and not immediately useful or profitable to this state, or which they may be apve will otherwise be lost, or endangered or damaged.

Personal property to be sold, &c.

AND BE IT ENACTED, That the said commissioners shall take into their possession all forfeited of persons convicted or outlawed for treason, and may sell the same, in such parts or parcels may judge most for the public advantage, at auction, after public and convenient notice; and last mentioned sales shall be for specie, at the value of seven shillings and six-pence per Spanish

Commissioners to take possession, &c.

CHAP. XXXVII.

Spaniſh dollar, or continental bills of credit emitted in this ſtate at the real value thereof, a purchaſe money, if not paid down, ſhall be ſecured by bonds, payable to this ſtate, with ſuch rities, in ſuch proportions, and on the days, that bonds are to be taken and payable for Britiſ perty ſold under the ſaid firſt mentioned act, and the like remedy and proceedings ſhall be had on for default of any payment; and in caſe any claims ſhall be made againſt the ſaid eſtates the commiſſioners may think juſt, they ſhall certify the amount thereof to the treaſurer, wh reſerve as many bonds, or as much money ariſing from the ſales of ſuch eſtates, as ſhall amo ſuch claim or claims; and the ſaid treaſurers ſhall alſo keep apart in the treaſury, bonds or paid in to the amount of one third part of the reſidue of the property of any ſuch perſon con or outlawed for treaſon, and ſuch money or bonds ſhall be ſafely kept in the treaſury un general aſſembly ſhall take order therein.

Purchaſes warranted, &c.

V. AND BE IT ENACTED, That this ſtate will for ever warrant and ſecure to the purchaſer their heirs, any Britiſh or confiſcated property ſold in purſuance of this act, and will protect in the peaceable poſſeſſion thereof.

CHAP XXXVIII.

Paſſed 27th of June, 1781.

An ACT for the payment of the journal of accounts. Lib. TBH. No. A. fol. 60.

At a SESSION of the GENERAL ASSEMBLY of MARYLAN begun and held at the CITY of ANNAPOLIS, on Monday, 5th of November, in the year of our Lord 1781, and ended 22d day of January, 1782, the following laws were enacted.

THOMAS SIM LEE, ESQUIRE, GOVERNOR.

CHAP. I.

Paſſed 22d of Jan. 1782.

An ACT for the relief of Mary Polton. Lib. TBH. No. A. fol. 62. A Private Act.

CHAP. II.

An ACT reſpecting the ſale of the iron-works late belonging James Ruſſell and company. Lib. TBH. No. A. fol. 63.

Preamble.

WHEREAS it appears to this general aſſembly, that the laying out the iron-works, la property of James Ruſſell and company, into ſmall farms or parcels of land, will pr more money than by ſelling the ſame together or in tenths;

Commiſſioners to lay out property, &c.

II. BE IT ENACTED, *by the General Aſſembly of Maryland*, That the commiſſioners for the Britiſh property be authoriſed and directed to lay out the landed property of the iron-works, la longing to James Ruſſell and company, into ſmall farms or parcels of land, and to ſell the ſa auction, (after not leſs than four weeks notice of the ſale,) and alſo the remaining part of th perty belonging to the ſaid works, in ſuch manner as in their opinions will be moſt productive ſale, reſerving to the forges as much of the Gunpowder falls and Long Caln and land as m neceſſary to carry on the ſaid forges, and laying out the reſidue of the ſtream into as many mill as may be, with a proper quantity of land on each ſide of the water.

To ſell no more than ſufficient to ſink the bills, &c.

III. AND BE IT ENACTED, That the ſaid commiſſioners ſhall not ſell any more of the pro pledged for the redemption of the bills emitted in virtue of the act (a) to enable the treaſurer western ſhore to draw and ſell bills of exchange, and for an emiſſion of bills of credit if nec than what may be fully ſufficient to ſink the ſame with the intereſt thereon.

(a) June, 1780, ch. 24.

IV.

CHAP. II. To ſell the reſidue for other bills, &c.

AND BE IT ENACTED, That the ſaid commiſſioners ſhall ſell the reſidue of the ſaid property ſion, after not leſs than four weeks notice, for the bills of credit emitted in virtue of the act (a) lling out of circulation the quota of this ſtate of the bills of credit iſſued by congreſs, and the credit emitted by acts of aſſembly under the old government, and by the reſolves of conven- and ſhall take bonds, with two good and ſufficient ſecurities, conditioned for payment of one of the purchaſe money in the ſaid bills of credit, on or before the firſt day of September, een hundred and eighty-two, with legal intereſt thereon, one third part thereof, as aforeſaid, before the firſt day of September, ſeventeen hundred and eighty-three, with legal intereſt n, and the other third part thereof, as aforeſaid, on or before the firſt day of September, een hundred and eighty-four, with legal intereſt thereon; and on giving ſuch bond, poſſeſſion premiſes ſhall be delivered, and a certificate of the purchaſe money given by the commiſſioners purchaſer, but the eſtate ſhall not be diveſted out of this ſtate until the purchaſe money and t ſhall be fully paid, on which a deed ſhall be given therefor.

(a) October, 1780, ch. 5.

CHAP. III.

Paſſed 22d of Jan. 1782.

CT for veſting an eſtate for life in Daniel Heeſter, the younger, and an eſtate in fee-ſimple in annah his wife, in fourteen hundred acres of land lying in Waſhington county, and in five lots land lying in Elizabeth-town, in the ſaid county. Lib. TBH. No. A. fol. 64. A Private Act.

CHAP. IV.

ACT to raiſe the ſupplies for the year ſeventeen hundred and ighty-two. Lib. TBH. No. A. fol. 67.

Rate of aſſeſſment, &c.

t raiſing the neceſſary ſupplies for the enſuing year, BE IT ENACTED, *by the General Aſſembly f Maryland*, That the rate or aſſeſſment of forty-five ſhillings current money ſhall be and is y laid and impoſed for every hundred pounds worth of property within this ſtate, and in the proportion for every greater or leſs ſum; and the ſaid rate or aſſeſſment ſhall be divided into arts, and ſhall be paid, collected and levied, in the manner herein after directed.

Proviſo.

PROVIDED, That all property belonging to this ſtate or the United States, or to any church, y or pariſh, or to any public or county ſchool, all proviſions, (except live ſtock,) neceſſary e uſe and conſumption of the perſon to whom the ſame ſhall belong and his family for the plantation utenſils, the working tools of mechanics and manufacturers actually and conſtantly oyed in their reſpective occupations, ready money, wearing apparel, and alſo the perſonal rty of any perſon who hath been or ſhall be drove from his habitation in either of the ſouthern by the enemy, if ſuch perſon ſhall have taken the oath of allegiance to the ſtate to which he elong, and ſhall ſettle in this ſtate with the approbation of the governor and council, ſhall be re hereby excepted from any rate or aſſeſſment.

Proviſo.

AND PROVIDED ALSO, That if any perſon (who hath taken the oath of fidelity and ſupport to tate, and hath accordingly exerted himſelf in favour of the freedom and independence thereof,) e compelled by the enemy to leave his habitation, and be thereby rendered incapable to carry s buſineſs or occupation, or hath, by means of the enemy, loſt his negroes, had his houſes d, or otherwiſe greatly ſuffered, the commiſſioners of the tax may, in their diſcretion, direct ollector to ſuſpend the collection of the aſſeſſment on the groſs valuation by the aſſeſſor of the rty taken away or deſtroyed by the enemy, until the general aſſembly ſhall take order therein; e commiſſioners are required to return to the general aſſembly a liſt of ſuch ſuſpenſions, and the s and proofs for which the ſame were made.

Commiſſioners to be appointed, &c.

AND BE IT ENACTED, That five ſenſible, diſcreet and experienced perſons, ſhall be appointed ch county of this ſtate, who ſhall be called Commiſſioners of the Tax, and they, or any three re of them, ſhall be the commiſſioners for each county.

Proviſo.

PROVIDED, That no member of the general aſſembly or the council, clergyman, practiſing at- y or phyſician, ſheriff, clerk of the general or any county court, ordinary-keeper, mariner or ctor, ſhall be appointed a commiſſioner or aſſeſſor.

Names of the commiſſioners.

AND BE IT ENACTED, That the following perſons ſhall be and are hereby appointed commiſſi- s for the ſeveral and reſpective counties of this ſtate, to wit: For Saint-Mary's county, Meſſieurs ius Fenwick, Robert Watts, John Debutts, Jeremiah Jordan and Ignatius Taylor; for Kent y, Meſſieurs Robert Cruikſhank, Edward Worrell, William Granger, Charles Groome and Richard

CHAP. IV.

Richard Miller; for Anne-Arundel county, Meſſieurs Thomas Dorſey, John Weems, Richa wood, junior, Thomas Watkins and Charles Wallace; for Calvert county, Meſſieurs Samuel Alexander Somerville, Daniel Rawlings, Thomas Blake and Edward Reynolds; for Charles Meſſieurs Joſias Hawkins, Richard Barnes, Robert Young, Thomas Harris and Henry Barr Baltimore county, Meſſieurs Andrew Buchanan, Archibald Buchanan, John Moale, Willia and James Gittings; for Talbot county, Meſſieurs Thomas Sherwood, Howes Goldſborough el Chamberlaine, Peregrine Tilghman and Samuel Thomas; for Somerſet county, Meſſieu Adams, Levin Wilſon, William Gillis, John Stewart and Gillis Polk; for Dorcheſter count ſieurs Robert Harriſon, Archibald Patiſon, Andrew Skinner Ennalls, Henry Hooper, Q. Joſeph Ennalls; for Cæcil county, Meſſieurs Thomas Savin, Samuel Gilpin, John Ward, in Samuel Glenn and Jeremiah Baker; for Prince-George's county, Meſſieurs William Beanes, Bowie, Nathaniel Magruder, Edward Sprigg and John Contee; for Queen-Anne's county, M Aquila Brown, Richard Tilghman, 4th, Thomas Wright, Richard Tilghman Earle and John for Worceſter county, Meſſieurs Thomas Martin, John Selby, Thomas Purnell, of Thomas Martin and William Handy, Indian-town; for Frederick county, Meſſieurs Upton Sheredine am Murdock Beall, John Adlum, Roger Johnſon and Thomas Hawkins; for Harford county, M Thomas Johnſon, John Rumſey, Francis Holland, William Wilſon, junior, and James B Joſhua; for Caroline county, Meſſieurs Thomas Goldſborough, Robert Poſtlethwaite, P Downes, Matthew Driver and Philip Walker; for Waſhington county, Meſſieurs Charles ingen, William Good, John Celler, Henry Shryock and David Gilliſpie; for Montgomery John Murdock, Richard Brooke, Samuel Thomas, 3d, Richard Wootton and William Holme

Their oath.

VII. AND BE IT ENACTED, That every commiſſioner, appointed, (or to be appointed) in v this act, ſhall, before he acts as ſuch, take the following oath, or affirmation if a quaker, m or tunker, to wit: "I, A. B. do ſwear, or ſolemnly, ſincerely and truly declare and affirm, "commiſſioner for ——— county, I will, to the beſt of my ſkill and judgment, execute th "of the ſaid office diligently and faithfully, according to the directions of the act to raiſe "plies for the year ſeventeen hundred and eighty-two, without favour, affection or partiali "that I will do equal right and juſtice, according to the beſt of my knowledge, in every caſe i "I ſhall act as commiſſioner; ſo help me GOD."

Commiſſioners exempt, &c.

VIII. AND BE IT ENACTED, That every commiſſioner who ſhall take upon himſelf the ex of this act ſhall, during the time he ſhall act as commiſſioner, be exempt from all military dut

Penalty for refuſing to ſerve, &c.

IX. AND BE IT ENACTED, That if any perſon appointed commiſſioner of the tax ſhall r ſerve, not having a reaſonable excuſe in the judgment of the county court of his county, he ſuch refuſal forfeit the ſum of two hundred pounds current money.

How vacancies are to be filled.

X. AND BE IT ENACTED, That if any two of the perſons appointed commiſſioners for an counties aforeſaid ſhall die, refuſe, or be rendered incapable to act, a majority of the remaini miſſioners may appoint ſome other in the place of the perſon who ſhall die, refuſe, or be inca act; and if any three or more of the ſaid commiſſioners ſhall die, refuſe, or be incapable to governor, with the advice of the council, may appoint ſome perſon or perſons in his or the ſo as to make up the number of three commiſſioners, and they ſhall fill up the remaining vaca manner aforeſaid.

Duty of commiſſioners.

XI. AND BE IT ENACTED, That the commiſſioners of the tax ſhall meet at the place wh county courts are uſually held in their reſpective counties, on the firſt Monday in February teen hundred and eighty-two, or as ſoon thereafter as they may have notice of this act, and after as ſhall be neceſſary; and the ſaid commiſſioners, at their ſaid meeting, ſhall appoint and alſo (by warrant under their hands) one diſcreet and ſkilful inhabitant of each hundred counties, (having in the county property above the value of two hundred pounds current mo be aſſeſſor in the ſame hundred; and the ſaid commiſſioners ſhall enter in a book to be kept purpoſe, the name of the perſon appointed aſſeſſor in each hundred, and ſhall immediately af choice appoint a place and day, not exceeding ten days thereafter, (of which five days not be given by ſome one of the ſaid commiſſioners to each aſſeſſor,) for the ſaid aſſeſſors to appea them, and at their appearance the ſaid commiſſioners ſhall openly read, or cauſe to be read, fu of this act as relate to the duty of aſſeſſors, and ſhall adviſe and direct them in what manner their aſſeſſment, and in what form to return their certificates thereof, and how to perform t ral duties required of them by this act, according to the true meaning thereof; and the ſaid c oners ſhall alſo appoint a place and day, between the firſt and twentieth day of March next,

ſeſſors to appear, and bring in writing their ſeveral valuations of property in their reſpective ds. CHAP. IV.

Penalty on aſſeſſors for default, &c.

I. AND BE IT ENACTED, That if any perſon appointed an aſſeſſor in virtue of this act ſhall default, and not appear at the time appointed, or on his appearance ſhall refuſe to ſerve, not in the judgment of the commiſſioners a reaſonable excuſe, or ſhall neglect to return to the ſioners certificates of his valuation of the property in his hundred, agreeable to this act and ſtructions given to him, he ſhall, for every ſuch default, refuſal or neglect, forfeit the ſum of ounds current money; and if any perſon appointed an aſſeſſor ſhall not appear at the time ap- d, or ſhall appear and refuſe to ſerve, the ſaid commiſſioners ſhall appoint, by warrant under ands, ſome other perſon, qualified as aforeſaid, as aſſeſſor, in the room of the perſon ſo making or refuſing to ſerve, and if ſuch perſon ſhall alſo make default, or refuſe to act, they may d to a new appointment in like manner, and as often as neceſſary, until the vacancy be ſup- and if any aſſeſſor ſhall die before he ſhall have fully completed his valuation, the ſaid com- ers ſhall, by warrant under their hands, nominate ſome perſon, qualified as aforeſaid, to be in the room of the aſſeſſor ſo dying.

Their oath.

II. AND BE IT ENACTED, That every aſſeſſor ſhall, before he enters on the execution of his take the following oath, or affirmation if a quaker, menoniſt or tunker, to wit: "I, A. B. do r, or ſolemnly, ſincerely and truly declare and affirm, that I will well and truly execute the of an aſſeſſor, and will faithfully, juſtly and impartially, value all property within my hundred, rding to the directions of the act to raiſe the ſupplies for the year ſeventeen hundred and y-two, according to the beſt of my ſkill and knowledge, and therein I will ſpare no perſon for or affection, nor any perſon grieve for hatred, malice or ill will;" which oath or affirmation e of the commiſſioners of his county may adminiſter.

Their duty.

III. AND BE IT ENACTED, That every aſſeſſor ſhall inform himſelf, by all lawful ways and means, property in his hundred, (except as before excepted,) and ſhall immediately on ſuch informa- roceed to value ſuch property, agreeable to the directions of this act; and each aſſeſſor ſhall with him, at the time and to the place appointed by the commiſſioners for his appearance, a ate in writing of the particulars of all property in his hundred, and of his valuation thereof, ch ſhall be expreſſed the land, and its name, (if any,) and the number of acres, the number of of each deſcription within this act, and the weight of plate, the number of horſes and black and the value of each of the above ſpecies of property, and all the other property, and the thereof, and the amount of the value of the whole property of every perſon in his hundred, e amount of the value of all the property in the hundred; and where the aſſeſſor cannot diſ- the owner of any property in his hundred, he ſhall value and mention the ſame in his certificate, te that the owner is unknown; and each aſſeſſor ſhall alſo return with his certificate an alpha- liſt of the names of all perſons whoſe property he ſhall value, and of all the free male perſons eighteen years of age, and the number of all white inhabitants in his hundred.

Valuation of lands, &c.

IV. AND BE IT ENACTED, That all lands, with the houſes or other improvements thereon at the valuation, ſhall be computed in current money, and at the ſame value as ſuch lands, with provements (if any) thereon, would have ſold for in the year ſeventeen hundred and ſeventy- and the following ſpecies of perſonal property ſhall be valued at the reſpective ſums following, : Every male and female ſlave under eight years of age ten pounds current money, every male male ſlave from eight to fourteen years of age twenty-five pounds like money, and every male rom fourteen to forty-five years of age ſeventy pounds like money, and every female ſlave from en to thirty-ſix years of age ſixty pounds like money; ſilver plate eight ſhillings and four-pence oney per ounce, and bar iron at thirty pounds like money per tun, and the other articles of l property ſhall be left to the diſcretion and judgment of the ſeveral aſſeſſors, who ſhall eſti- the ſame, in current money, at the true value thereof, as ſuch perſonal property would have in the year ſeventeen hundred and ſeventy-four, ſubject to the correction of the commiſſion- the tax, as herein after directed.

Proviſo.

V. PROVIDED, That the ſaid aſſeſſors ſhall be at liberty, and are hereby directed, to eſtimate laves who are tradeſmen at ſuch value as they may adjudge them to be worth, regarding their ive trades and their proficiency therein, and the annual value ariſing therefrom; and alſo laves above the age of forty-five years, and female ſlaves above the age of thirty-ſix years, to proportioned value to men and women ſlaves under thoſe ages; and ſhall return in their cer- the number of negroes of each perſon above the ſaid ages, with their valuation; and if any

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ſlave ſhall not be perfect in his limbs or ſight, or from the want of health, or any viſible infirm rendered incapable to perform his uſual and proper labour, the aſſeſſor ſhall make a reaſonable ment for ſuch cauſe, and ſhall note the ſame in his return.

How ſurplus land is to be rated, &c.

XVII. AND, whereas it may be juſt and reaſonable in ſome caſes to vary from the quan acres contained in the patent or deed by which the preſent poſſeſſor holds the ſame; BE IT EN That where the aſſeſſor ſhall know, or be informed and have good reaſon to believe, that t ſurplus land held under the patent or deed, it ſhall and may be lawful for ſuch aſſeſſor, and he i by required, to call on the perſon to whom the land is aſſeſſed to aſcertain the quantity of ſuc and the aſſeſſor may, in his diſcretion, for the better aſcertaining the quantity thereof, admin oath, or affirmation if a quaker, menoniſt or tunker, to ſuch perſon, to diſcover his knowl belief to the aſſeſſor touching the quantity of ſuch land; and the party ſo to be aſſeſſed ſhall is hereby obliged to take ſuch oath or affirmation as aforeſaid, and anſwer thereon as to the q of ſuch land to the beſt of his knowledge and belief, under the penalty of fifty pounds current for every neglect or refuſal; and where any perſon aſſeſſed holds leſs than the quantity ſpec the patent or deed, it ſhall and may be lawful for the party aſſeſſed to aſcertain the quantity or affirmation as aforeſaid, or otherwiſe to prove the ſame to the ſatisfaction of the aſſeſſo ſhall allow for ſuch deficiency.

Perſons to give an account, &c.

XVIII. AND, for the effectual diſcovery and more equal aſſeſſment of all property, BE IT EN That every perſon ſhall be called upon by the aſſeſſor of the hundred where he ſhall reſide, or fore the day limitted by the commiſſioners for making his return, to give in to ſuch aſſeſſor a particular account of all his property in the ſame hundred, and of all property in his poſſeſſion to aſſeſſment, and to whom the ſame belongs; and if any perſon ſhall refuſe, or after reaſona convenient notice ſhall neglect, to render ſuch account, then ſhall the aſſeſſor proceed, either own knowledge or the beſt information he can obtain, to value the property of ſuch perſon utmoſt ſum he believes in his conſcience the ſame may be worth, and ſhall certify to the commi of the tax the ſum ſo valued, and alſo the refuſal or neglect of the party, and the commiſſio the tax ſhall double the aſſeſſment of ſuch perſon, and the ſame ſhall be collected as the rate act impoſed; and if any perſon ſhall give in a partial account of his property, or of the prop his poſſeſſion, with intent that the payment of the rate on any property omitted may be a ſuch perſon ſhall forfeit the value of the property ſo omitted.

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XIX. AND, whereas ſome of the people called quakers, menoniſts or tunkers, are pri againſt bearing arms in any caſe, or contributing property for ſupporting any war, and there fuſe to give in an account of their property, and this general aſſembly are willing to make all for the real weakneſſes of men, as far as the public good will permit, IT IS HEREBY PROVID ENACTED, That where the refuſal or neglect of any quaker, menoniſt or tunker, to give in perty, ſhall be returned to the commiſſioners, if ſuch perſon hath never before given in an of property to an aſſeſſor, and the commiſſioners believe that ſuch perſon is a friend to the government, and that his refuſal or neglect proceeds from ſcruples of conſcience only, they ſ double the aſſeſſment of ſuch perſon.

Perſons may declare on oath, &c.

XX. AND BE IT ENACTED, That if any perſon ſhall think that his property is over valued aſſeſſor, he may offer to declare the actual worth thereof on oath or affirmation, which the may, if he pleaſes, adminiſter, and accept as ſufficient evidence of the value of the property perſon.

How land in ſeveral hundreds is to be valued, &c.

XXI. AND BE IT ENACTED, That where any tract or parcel of land lies in ſeveral hundre the owner thereof lives thereon, the ſame ſhall be valued by the aſſeſſor of the hundred in wh owner thereof reſides, and if no owner thereof lives thereon, the ſame ſhall be eſtimated aſſeſſor of the hundred wherein the greater quantity lies, and if that be doubtful, then it lawful for the commiſſioners of the county in which ſuch land lies to direct in which hund ſame ſhall be valued, and the aſſeſſor of that hundred ſhall value the ſame accordingly; an any tract or parcel of land lies in ſeveral counties, the ſeveral aſſeſſors ſhall value ſuch part as may lie in their own county, according to the beſt information they can obtain.

Houſeholders to give an account, &c.

XXII. AND BE IT ENACTED, That every houſeholder in this ſtate ſhall, upon demand aſſeſſor of his hundred, give an account of the names and occupations of all free male perſon eighteen years of age as ſhall ſojourn or lodge in their reſpective houſes, under the penalty of pounds current money; and if any perſon, who ought to be aſſeſſed by virtue of this act for

property, shall, by removing his or her effects from the county where they ought to have been , or by any other fraud or device escape and not be taxed, and the same be proved before any the commissioners, or any justice of the peace for the county where such person resides, at any within one year next after the property ought to have been valued, every such person shall be d in the county where he is found, upon proof thereof, double the value of the sum he ought e been rated by this act, and the same shall be collected from such person by the collector of unty where he shall be found.

How estates are to be valued, &c.

III. AND BE IT ENACTED, That all lands held or enjoyed immediately by tenants in fee-simple, simple conditional or executory, or fee-tail, shall be wholly valued to such tenants; and where persons have particular estates or interests in the same lands, a just computation thereof shall de in proportion to the value of their particular interests therein, so that the whole added to- shall amount to the value of such lands as the same are directed to be valued by this act; and tenant, or person holding a particular estate or interest, shall pay what is assessed on the estate landlord, reversioner or remainder-man, the person so paying may either deduct the sum paid the rent, if sufficient, or, if not, he may have his action against the lessor, reversioner or re- der-man, or his heir, executor or administrator, for what he shall pay, as for money paid for his but where a valuable and full rent is reserved, so that the interest of the tenant cannot be con- d as valuable, it is the intention of this act that the landlord shall pay on the whole value of nds, and the tenant in such case paying the assessment, may deduct or have his action as afore-

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IV. PROVIDED, That the assessor shall not separate the interest of tenant by the courtesy, or for life without impeachment of waste, who pays no rent, but such tenant shall be chargeable the whole assessment.

Land may be sold, &c.

V. AND BE IT ENACTED, That in all cases where the collector can find no effects on the land ging to the party chargeable with the assessment sufficient to pay the same, if distressed, and the cannot be otherwise recovered, by reason of nonresidence or otherwise, it shall and may be law- the commissioners of the tax in the county where such lands lie, after thirty days public e, to cause so much of the said lands, or of the timber thereon, to be sold at auction, as may cessary to pay the assessment.

How tobacco is to be valued, &c.

VI. AND BE IT ENACTED, That all tobaccoes in the houses of the owners at the time of assess- shall be there valued, and all tobaccoes in the several warehouses at the time of appraisement e valued by the several assessors in whose hundred such warehouses shall respectively be, and essment shall be notified to the several inspectors, who are hereby authorised and required to e such assessment before the tobaccoes be delivered out, except only in case of tobaccoes pur- d for the use of this state, or the United States, or where it shall appear, by oath or affirmation party, or the testimony of some indifferent witness, that the same tobaccoes have been already d under this act; and in case any inspector shall deliver out such tobaccoes after notice of such ent without receiving the same, he shall be liable to pay double the value thereof, to be re- d before a single magistrate, who shall receive, render an account of, and pay the same, to the or of his county, within one month thereafter, under the penalty of paying ten *per cent.* in- ; and every inspector shall pay the assessment by him received to the collector of his county one month thereafter, under the penalty of paying ten *per cent.* interest; but no inspector or or shall be answerable for the assessment on tobacco in warehouses, before they shall respective- eive, or ought to have received, the same.

Commissioners to hear complaints, &c.

VII. AND BE IT ENACTED, That the said commissioners shall meet on the twenty-first day of next, at the usual place of holding their respective county courts, to hear and determine the int of any person who may think himself grieved by his property being over valued by any , and shall set for the space of two days next following, and as often afterwards, within thirty hereafter, as may be necessary, for hearing and determining all appeals made to them; and if d commissioners shall not meet and set as aforesaid, every commissioner failing therein shall and pay the sum of twenty pounds current money, unless prevented by sickness or other una- le accident; and if any person shall apprehend himself injured by the valuation of his proper- shall thereof complain to the said commissioners, they shall, at the time of their setting to peals, examine any person, or, in their discretion, the party complaining, on oath, or affirma- a quaker, menonist or tunker, touching the particulars or value of such property, and, upon mination or knowledge thereof, abate or increase the said valuation, and a certificate of such

abatement

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abatement or increaſe ſhall forthwith deliver, or cauſe to be delivered, to the collector, who collect and levy the rate from ſuch perſon according to ſuch abatement or increaſe.

May call aſſeſſors before them, &c.

XXVIII. AND BE IT ENACTED, That the commiſſioners of the tax ſhall have full power t the ſeveral aſſeſſors before them at the time limitted for appeals, or at ſuch other times as th their diſcretion ſhall think reaſonable, for the purpoſe of correcting their valuation of property the ſaid commiſſioners ſhall have full authority to correct the ſeveral certificates of valuation in reſpective counties, ſo as to make the ſame as nearly equal as poſſible, or may direct the ſe aſſeſſors, when before them, to make ſuch corrections; and it is declared to be the duty of th commiſſioners, and they are hereby directed, diligently to inquire, and particularly and invariabl obſerve, that all land in their county of the ſame quality, be eſtimated at the ſame value, ſo equality and juſtice in taxation may take place between the inhabitants of their county.

Value their property, &c.

XXIX. AND BE IT ENACTED, That the property of each aſſeſſor ſhall be valued by the co ſioners of his county, or any one of them, on or before the twentieth day of March next, i ſame manner as the property of other perſons by this act is directed to be eſtimated by the aſſe which valuation ſhall be added to the certificate of the hundred in which ſuch aſſeſſor's property be, and ſhall be collected in the ſame manner as other aſſeſſments are directed to be collected.

And appoint collectors, &c.

XXX. AND BE IT ENACTED, That the commiſſioners of the tax ſhall, at their firſt meetin within ten days thereafter, appoint ſuch perſon as they may judge moſt proper to be collector o tax in their county, and the perſon ſo appointed ſhall appear before the commiſſioners withi days thereafter, and in their preſence enter into bond, with good and ſufficient ſecurities, ſu they ſhall approve, in double the ſum to be collected, with condition, "that if the above b —— —— ſhall well and faithfully execute and perform the ſeveral duties required of him a lector of the tax for —— county, according to law, then the above obligation to be void, elſe main in full force;" and the commiſſioners ſhall witneſs the execution of ſuch bond, and immedi thereafter tranſmit the ſame to the clerk of the county court, who ſhall record the ſame, and t mit the original to the clerk of the general court, who ſhall alſo forthwith record the ſame, and i diately thereafter deliver the original to the regiſter of the chancery court, to be by him ſafely in the chancery office; and an atteſted copy of either of the ſaid records ſhall be as good evi in law as if the ſaid bond was actually produced and proved in court; and any perſon appoin collector, who ſhall, after notice of his appointment, neglect to appear, not having a reaſonabl cuſe in the judgment of the commiſſioners, or appearing ſhall refuſe to take upon him the offi collector, or ſhall refuſe or neglect to give bond as aforeſaid, ſhall forfeit and pay one hundre fifty pounds current money; and the commiſſioners of the tax may alſo, in their diſcretion, re any collector from his office, and ſhall immediately, on any vacancy by death or removal, or b fuſal to act, neglect to appear or to give bond as aforeſaid, appoint ſome other collector for county, who ſhall be ſubject to the ſame penalty in caſe of neglect or refuſal, until a proper col can be procured for ſuch county.

Merchants property to be aſſeſſed, &c.

XXXI. AND BE IT ENACTED, That all merchants, ſubjects of this or any of the United S having property within the ſtate of Maryland, ſhall be liable to taxation, and the aſſeſſor in hundred ſhall make inquiry into the ſtock in trade of ſuch merchant or merchants, conſiſting of or other veſſels, their tackle, apparel and furniture, lying in or adjacent to ſuch hundred, and merchandiſe on hand, alſo of wheat, flour, corn, or any other article or articles of viſible perty, ready money excepted, for ſale, or employed in trade, either in the warehouſes, or lad board ſuch ſhip or other veſſel, that may come under the denomination of ſtock in trade; and call on all ſuch merchants to diſcover their property, money excepted, employed in trade, an neglect or refuſal to diſcover the ſame, ſhall and may eſtimate the ſtock aforeſaid at the full thereof, upon the ſame ſcale that other property is aſſeſſed by this act, in his judgment and opi upon the beſt information he can obtain; and the aforeſaid ſtock in trade of ſuch merchant or chants ſhall be liable to pay the ſame rate as by this act is impoſed on the property of other i tants of this ſtate, and the aſſeſſor ſhall return a diſtinct account thereof to the commiſſion the tax for his county, and ſuch merchant or merchants may diſcharge the ſame in paper mone ſpecific articles, at the rates by this act aſcertained.

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XXXII. PROVIDED ALWAYS, AND BE IT ENACTED, That where ſhips or other veſſels are harbour, or view of the aſſeſſor, during the period of aſſeſſment, if ſuch ſhip or other veſſel wards arrive during the year, the ſame ſhall be rated as ſoon after the arrival as may be, tog with her lading of merchandiſe on board, and return ſhall be made to the commiſſioners of th

ſhall give a note thereof to the naval-officer of the diſtrict next adjacent, and ſuch ſhip or other ſhall not clear out until the aſſeſſment on veſſel and cargo be paid; but ſuch ſhip or other veſſel mentioned, or the cargo on board, ſhall not be aſſeſſed more than once in any one year.

Naval-officers to give notice, &c.

XXIII. AND BE IT ENACTED, That on the arrival of any ſhip or other veſſel in harbour, or in river in the view of any naval-officer, ſuch naval-officer ſhall give notice to the aſſeſſor in the dred next adjoining, and ſuch aſſeſſor ſhall proceed to value the ſame agreeable to the directions his act.

An additional aſſeſſor to be appointed, &c.

XXIV. AND, whereas many ſhips and other veſſels arrive at the port of Baltimore, ſo that it be neceſſary to empower the commiſſioners of the tax to nominate an additional aſſeſſor, BE IT ENACTED, That the commiſſioners of the tax for that county ſhall and are hereby required to nomi- an additional aſſeſſor at Baltimore-town, who ſhall aſſiſt in doing the duty incumbent on the aſ- of that hundred already directed by this act.

Collector to ſhew certificates, &c.

XXV. AND BE IT ENACTED, That the collector or his deputy ſhall, on the requeſt of any per- charged, or on the requeſt of any perſon offering to pay for any perſon charged, ſhew to the per- applying the certificate given by the commiſſioners of ſuch charge, and if required, give him thereof; and if it ſhall appear to any collector, that any perſon ſhall reſide in any other hun- of his county than that in which his property ſhall be valued, it is hereby declared to be the of ſuch collector to enter ſuch aſſeſſment under the hundred where ſuch perſon ſhall reſide; and ſhall appear to any collector, that any perſon whoſe property ſhall be valued in his county ſhall reſide therein, it is hereby declared to be the duty of ſuch collector to make diligent inquiry re ſuch perſon ſhall live, and he ſhall, if known, tranſmit to the collector of the county where perſon ſhall reſide a copy of the valuation made on the property of ſuch perſon in his county, ſuch collector, on receipt thereof, ſhall enter the ſame under the hundred where ſuch perſon reſide, and collect the ſame.

Counties to be divided, &c.

XXVI. AND BE IT ENACTED, That the commiſſioners aforeſaid ſhall and may divide their re- ive counties into convenient diſtricts, containing not leſs than one or more than three entire reds; and the ſaid collector, with the approbation of the commiſſioners, ſhall appoint a deputy ch diſtrict, for whom he ſhall be anſwerable.

Liſt to be delivered, &c.

XXVII. AND BE IT ENACTED, That the commiſſioners ſhall, on or before the firſt day of April make out and deliver to the collector an alphabetical liſt of the perſons in each hundred eable for the property therein, the amount of the valuation of each perſon's property reſpec- y, as returned by the aſſeſſors, or as corrected by them, expreſſing the ſum to be paid thereon is act.

How the aſſeſſment is to be paid, &c.

XXVIII. AND BE IT ENACTED, That every perſon ſhall, on or before the firſt day of June pay to the collector of the county, or his deputy of the diſtrict where his property was va- one half part of the aſſeſſment impoſed by this act, or he may, in diſcharge thereof, pay any e articles following; that is to ſay, good freſh merchantable pork, delivered before the firſt of March next, well fatted on corn, and each hog exceeding ninety pounds weight, at forty gs per hundred; good beef on the hoof, adding the fifth quarter to the weight of the net beef, rty-three ſhillings and four-pence per hundred; good merchantable barrelled pork, containing at two hundred and twenty pounds of net pork, at ſix pounds per barrel; good merchantable t, weighing not leſs than fifty-eight pounds per buſhel, at ſeven ſhillings and ſix-pence per ; good, ſweet, freſh, merchantable fine wheat flour, and packed in ſtrong ſeaſoned barrels, at en ſhillings and nine-pence for each ſhort hundred weight, with allowance of three ſhillings e barrel and nails; transfer tobacco, inſpected ſince the firſt day of September laſt, at eighteen gs and nine-pence per hundred; crop tobacco, inſpected ſince the firſt day of April laſt, in eads weighing not leſs than nine hundred and fifty net, at twenty-two ſhillings and ſix- per hundred, with an allowance of four *per cent.* for the caſk; or bar iron at thirty pounds per

How bills are to be received, &c.

XXIX. AND BE IT ENACTED, That the bills of credit emitted by act of aſſembly in the month y laſt * ſhall be taken in payment of the aſſeſſment impoſed by this act at the rate of one for ſeven ſhillings and ſix-pence current money; and any of the ſtate continental bills of cre- tted in the month of June, ſeventeen hundred and eighty, ſhall be received in payment of the ent aforeſaid, at the rate of three dollars for ſeven ſhillings and ſix-pence current money; and any

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any of the ſtate bills of credit emitted in the ſame month and year, ſhall be received in paym the aſſeſſment aforeſaid at the rate of two dollars for ſeven ſhillings and ſix-pence current mon

Guardians may pay for infants, &c.

XL. AND BE IT ENACTED, That where any perſon, whoſe property is chargeable with th by this act impoſed, ſhall be under the age of twenty-one years, if the parent or guardian infant ſhall make payment, the ſame ſhall be allowed him in his account with ſuch infant.

And executors for deceaſed perſons, &c.

XLI. AND BE IT ENACTED, That if any executor or adminiſtrator ſhall have any perſonal of the deceaſed in his hands chargeable with the aſſeſſment impoſed by this act, he may info aſſeſſor, and on payment of the rate the receipt of the collector ſhall be ſufficient evidence charge ſuch executor or adminiſtrator for the ſum by him paid.

Commiſſary appointed, &c.

XLII. AND BE IT ENACTED, That Benjamin Chambers, (who ſhall reſide at the city of A lis,) ſhall be and he is hereby appointed commiſſary of proviſions for this ſtate for one year, t mence on the firſt day of January next, and he is hereby authoriſed from time to time to appo puties, (not leſs than one in each county,) for whoſe conduct he ſhall be anſwerable, and wh may remove at his pleaſure; and it is declared to be his duty to receive and take care of a viſions belonging to this ſtate, and alſo to procure any proviſions he may be authoriſed to pu and to ſuperintend his deputies in the execution of their office, and, in caſe of purchaſe, t them ſuch particular inſtructions as may prevent them from raiſing the price, and to keep fair gular accounts of the proviſions of all kinds belonging to this ſtate, and of the diſpoſition t and to tranſport the ſame to ſuch places as he may be directed (in or out of this ſtate) by the nor and council, and frequently to make known to the governor and council the ſtate of the ſa viſions, and to render to them once in every four months, or oftener, (if by them required,) count of all proviſions in his poſſeſſion or care.

Proviſions to be delivered, &c.

XLIII. AND BE IT ENACTED, That all proviſions ſhall be delivered over by the late comm for the eaſtern and weſtern ſhores, and by the county commiſſaries, to the commiſſary, who ſh take into his poſſeſſion and care all proviſions collected or due in virtue of the act for the imm ſupply of flour and other proviſions for the army, paſſed November ſeſſion, ſeventeen hundr ſeventy-nine, and the act to raiſe the ſupplies for the preſent year; and the ſaid commiſſary powered, with the advice of the governor and council, to ſell any of the grain procured in vi the ſaid act firſt mentioned, for the benefit of the public.

How a vacancy is to be filled.

XLIV. AND BE IT ENACTED, That in caſe the ſaid commiſſary ſhall die, refuſe, or be re incapable to act, the governor and council may appoint another in his ſtead for the reſidue year; and the ſaid commiſſary, (or perſon appointed in his ſtead,) ſhall, before he enters on th cution of his office, enter into bond, with two good and ſufficient ſecurities, ſuch as the go and council ſhall approve, in the ſum of twenty thouſand pounds current money, with con "that if the above bound —— —— ſhall well and faithfully execute and perform the ſeveral required of him by law, then the above obligation to be void, elſe to remain in full force."

Commiſſary's allowance, &c.

XLV. AND BE IT ENACTED, That the ſaid commiſſary ſhall be allowed at the rate of ſi dred pounds current money by the year, in full ſatisfaction for his ſalary and travelling ex and ſhall be reimburſed all ſums of money by him neceſſarily expended in the execution of his and alſo entitled to a commiſſion of three *per cent.* on the eſtimated price aforeſaid of all beef wheat and flour, he may receive in virtue of his office.

A place to be aſſigned, &c.

XLVI. AND BE IT ENACTED, That the ſaid commiſſary of proviſions ſhall, as ſoon as may be a place for the delivery, receipt and curing, of the dead meat proviſions which may be paid i county in diſcharge of the rate aforeſaid, and ſhall alſo appoint proper and convenient places ferring mills of reputation,) for the delivery and receipt of wheat and flour; and any perſon dead meat proviſions, or wheat or flour, ſhall deliver the ſame at ſome place aſſigned for the d of ſuch reſpective articles; and any perſon who ſhall pay beef alive, ſhall deliver the ſame commiſſary of proviſions, or ſome one of his deputies, at the place appointed for the receipt t and the deputy-commiſſary, or miller, who ſhall receive any of the ſaid articles, ſhall give a therefor, expreſſing the time and quantity of the articles received, and where the receipt given by any miller, the perſon taking ſuch receipt ſhall lodge the ſame, within twenty days after, with the commiſſary, or his deputy in the county, who ſhall give a certificate thereof; receipts and certificates given by the commiſſary, or his deputies, ſhall be lodged with the co or his deputy, as vouchers on the ſettlement of the collector's account, and the collector, or

shall acknowledge the delivery of such receipts and certificates; and in case any person shall any receipt or certificate, or by any device or fraud attempt to evade the real payment of the ic articles pretended to have been paid, such person, besides suffering the punishment incurred w in the ordinary course of prosecution, shall be liable to be distrained, by special order of the issioners of the tax of his county, after hearing or default, on notice, for treble the sum so fully or fraudulently attempted to be evaded; and in case the person offering any live beef cat- nd the commissary, or his deputy, cannot agree as to the quality or weight, any commissioner of x, or justice of the peace, may appoint two or three reputable, disinterested persons, who are judges of the quality and weight of live beef cattle, to determine the same.

Deputies to transmit accounts, &c.

VII. AND BE IT ENACTED, That each deputy-commissary shall, at least once a month, and er if required by his principal, transmit to him an account of all meat provisions dead and alive, wheat and flour, received and delivered by him, and what remains on hand, and the places ; and the said commissary and his deputies are empowered and required to procure salt, and well seasoned tight barrels, or small tight casks, and to hire hands, for the salting, packing and g, all pork; and the said commissary, or any of his deputies, may place out, for keeping and g, all or any live beef cattle delivered to him, and may also, where it conveniently may be use the bran and shorts of the public wheat for that purpose, and where the bran and shorts t be conveniently fed away, the said commissary shall sell the same for the benefit of the pub-

Wheat to be ground, &c.

VIII. AND BE IT ENACTED, That all wheat delivered at the mills shall be there well ground, d and packed, and the commissary, or his deputy, shall find good well seasoned barrels; and all t received at other places shall be sent to mills of reputation, and there well ground, bolted packed; and the whole flour produced from the wheat, separating only therefrom the bran and , shall be packed together, unless otherwise directed by the governor and the council, or the issary of provisions; and each county commissary is hereby required to visit frequently the mills county in the public service, to see that the public work is well executed, and not unnecessari- layed; and every county commissary shall, from time to time, shew his books, and the state of ransactions, to his principal.

Owners of mills to preserve wheat, &c.

IX. AND BE IT ENACTED, That the owner of every mill where wheat shall be lodged or sent oresaid, or the person by him employed in the charge of such mill, shall keep and preserve the t so lodged or sent to such mill, and shall grind, bolt and pack the same as aforesaid, in a rea- le time, and keep and preserve the flour in such mill, if required, for any time not exceeding months, for the reward of one twelfth part of every bushel of wheat ground, bolted and packed; in case any such wheat, or any flour made thereof, shall be wasted, destroyed or damaged by the r of the mill, or any of his servants employed therein, or any such wheat or flour shall be in anner converted to the use of any such owner or servant, on complaint to the commissioners of x, they may issue their summons for the party accused, and after hearing and evidence of the (or on his default to appear after notice,) they may, by their warrant, directed to the sheriff, double the value of such wheat or flour to be levied of the goods and chattels of such owner rvant, or by their warrant commit either or any of them to close prison, till the said double shall be paid; provided, that where the master shall be answerable for the conduct of the ser- only the value of the wheat or flour shall be levied on the master.

Flour barrels to be marked, &c.

AND BE IT ENACTED, That all barrels containing public flour shall be marked with a marking or branded, with the name of the person who paid, or the mill which manufactured the same, the net weight of the flour contained therein, and that all casks and barrels containing meat be marked as aforesaid, or branded with the name of the person paying the same, or the name e county where cured, if cured by a commissary, and the weight of the cured meat packed in; and the commissary, or any of his deputies, curing or purchasing meat for the public, shall as aforesaid, or brand his name on the cask containing the same; and if any mill shall not have to store with convenience the public flour which may be at such mill, the county commissary remove so much as may be necessary without delay, and may, if occasion requires, rent proper es in which to store the same.

Time for collecting the assessment, &c.

AND BE IT ENACTED, That the said collectors and their deputies shall, immediately after the first day of June next, collect the half part of the assessment imposed by this act, by distress and of any goods or chattels within his county, the property of any person charged therewith, of sale five days notice, excluding the day of notice and sale, shall be given, and by distress and

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ſale of any goods or chattels found on any land chargeable with the ſaid rate, of which th notice ſhall be given, which ſaid ſales ſhall be for current money; and if no effects can be fou the ſaid land, the ſame ſhall be chargeable with the aſſeſſment which may be unpaid, with ſix *pe* intereſt thereon from the firſt day of June next, in the hands of any purchaſer, and any goods time found on the premiſes ſhall be liable to diſtreſs and ſale for payment thereof; and the reſp collectors ſhall, from time to time, diſcloſe to the commiſſioners of his county his receipts rate impoſed by this act, and ſhall, from time to time, pay to the treaſurer of his ſhore, by dir of the commiſſioners, as far as he ſhall have received, ſo that no great ſum of money may lo main in his hands.

Commiſſioners to draw on collectors, &c.

LII. AND BE IT ENACTED, That the commiſſioners of the tax in each county are hereb powered to draw their order on the preſent or late collector of the tax in their county, havin lic money in their hands, in favour of the commiſſary, for ſuch ſum of money as they may neceſſary, not exceeding two hundred pounds, to enable him to proceed in the execution of fice; and the governor and council are alſo requeſted to advance, from time to time, ſuch ſ money, by their order on the treaſurer of either ſhore, as they may judge neceſſary, to enab commiſſary to defray the expences which he may incur in the execution of this act.

Collectors to render fair accounts, &c.

LIII. AND BE IT ENACTED, That each of the ſaid collectors ſhall appear at the place of h the county court for his county on the tenth day of July next, and then and there lay befo commiſſioners of his county an accurate and fair account of his collection of the half part of th aforeſaid, under the penalty of two hundred pounds current money; and the ſaid commiſſioner appear at the ſame time and place, under the penalty of twenty pounds on each commiſſioner n pearing, unleſs prevented by ſickneſs or unavoidable accident, and they ſhall immediately proce adjuſt his ſaid account, charging him in money or tobacco, according as he received or ought to received the ſame, and ſhall, upon ſuch ſettlement, allow to the ſaid collector a commiſſion of *per cent.* on the whole collection of the aſſeſſment made in money, bills of credit, tobacco, or c cates by the commiſſary or any of his deputies, or certificates allowed by this act to be diſco or on the ſum they ſhall adjudge him to be anſwerable for, and the commiſſioners ſhall not allo collector any deductions of any part of the ſums mentioned in the certificates of aſſeſſment, e only in ſuch caſes where it ſhall appear to them that he has uſed all lawful means for the levyin collecting the ſame, two copies of which account, ſo adjuſted, with a certificate of the balance of, ſhall be ſigned by the ſaid commiſſioners, and on or before the fifteenth day of July next de ed to the ſheriff of their reſpective counties, endorſed on the public ſervice, to be by him forw as public letters to the clerk of the houſe of delegates, and to the treaſurer of his ſhore; and collector ſhall pay to the treaſurer of his ſhore, on or before the firſt day of Auguſt next, the balance of his account, adjuſted by the commiſſioners, and upon failure in payment by any coll the treaſurer of his ſhore ſhall, on or before the fifteenth day of Auguſt next, obtain a copy bond, and file the ſame in the general court, and thereupon *ſcire facias* ſhall iſſue againſt ſuch tor and his ſecurities, in the ſame manner as on bonds to the loan-office, and ſimilar proce ſhall be had to compel payment of the money due, with intereſt of ten *per cent.* from the ſaid fir of Auguſt next.

Commiſſioners to adjuſt accounts, &c.

LIV. AND, to prevent any damage to any collector from the negligence of his deputies, their receiving the taxes and converting the ſame to their own uſe, BE IT ENACTED, That the miſſioners of the tax be empowered, on hearing, (or default to appear on notice,) to adjuſt t count between the collector and any of his deputies, concerning his receipt, collection, or neg duty, as deputy-collector, and may order the balance to be paid, either immediately, or by a day to be limitted, and may alſo carry ſuch order into effect, by their warrant, directed to the to levy the ſum due, in the ſame manner as by *fieri facias*, on the lands, goods or chattels, of t puty, or to take his body in execution as on a *capias ad ſatisfaciendum*, in ſatisfaction thereof.

Identical money to be paid, &c.

LV. AND BE IT ENACTED, That the deputy-collectors ſhall pay over to their principals, a principal ſhall pay over to the uſe of the public, the identical money they ſhall receive und act, except only ſuch ſmall ſums of money as they may neceſſarily part from in giving change o ments; and every deputy-collector, on ſettling his account with his principal, ſhall make o affirmation, that he hath not converted any part of the tobacco or money, or bills of credit, collected, in any manner to his own uſe, and that he hath or will pay the ſpecies or kind of and bills of credit received, except only ſuch ſmall ſums of money or bills of credit neceſſaril in change on payment; and every collector, on ſettling his account, ſhall make the ſame o affirmation.

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VI. AND BE IT ENACTED, That all the certificates of assessment which shall be delivered by assessors to the said commissioners, and all their books of proceedings, and the accounts by them with the several collectors, shall be fairly transcribed by their clerk, and signed by the commissioners, and delivered by them to the sheriff of their respective counties on or before the said tieth day of July next, under the penalty of fifty pounds current money, to be by the said forwarded as public letters to the clerk of the house of delegates; and the original certificates assessors, and the proceedings of the commissioners, and accounts by them settled with the collectors, shall be by them delivered, on or before the said twentieth day of July next, to clerk of their county, under the penalty of fifty pounds current money, to be by the said clerk kept in his office for the inspection of the inhabitants of such county.

Certificates, &c. to be transcribed, &c.

VII. AND BE IT ENACTED, That the clerk to the commissioners in each county shall, on or before the tenth day of April next, make out from the assessors certificates, and the corrections thereof any) by the commissioners, a summary account or list (in columns,) in which shall be expressed number of acres of land, the number of slaves of each description within this act, the weight of the number of horses and black cattle, and the value of each of the said species or kind of erty, and all the other property, and the value thereof, in each hundred, and the whole value ch hundred extended, and the amount of each column, and shall lay the same before the commissioners, who, after correction thereof, if necessary, shall sign and enclose the same, endorsed for blic service, to the clerk of the house of delegates, and shall, within five days thereafter, under enalty of fifty pounds on each commissioner, deliver the same to the sheriff of their county, to him forwarded as public letters, and under the like penalty; and the clerk of the house of tes shall enter the said summary account in a book to be provided for that purpose, and keep riginal in his office, and on the second day of the next meeting of the general assembly he shall e same before the house of delegates, for the inspection of the members.

Clerk to make out a list, &c.

VIII. AND BE IT ENACTED, That every person shall, on or before the first day of November next, to the collector, or his deputy in the district where his property was valued, the residue of the te imposed by this act, or he may, in discharge thereof, pay any of the specific articles aforeat the prices and in the manner aforesaid, on or before the first day of November next; and if erson shall not make payment by the said first day of November next, the respective collectors reby authorised and required to collect the same by distress and sale, in the manner before di; and the collectors shall make payment by direction of the commissioners, as herein before ed, and his final account shall be settled by the commissioners on or before the fifth day of De, seventeen hundred and eighty-two, and the balance thereof shall be paid by the twentieth f the said month of December, in the same manner, and under the like penalty, as before di as to the first account, and for not duly paying his first balance, the like proceedings shall be his bond as are before mentioned; and the said commissioners are hereby directed to adjust and it the said second account, in the same manner as they are directed as to the first, on or before st day of January, seventeen hundred and eighty-three.

Time for making the second payment, &c.

IX. AND BE IT ENACTED, That the collector of each county, at the time of the settlement of ccount, shall pay to every commissioner twelve shillings and six-pence for each day he shall neily attend, and shall also pay to the said commissioners, for the use of their clerk, twelve shiland six-pence per day for his service, and for the use of the said assessors, for the full and faithful rmance of their duty under this act, any sum not under five pounds nor exceeding twenty pounds t money for each assessor, which the said commissioners shall judge an adequate reward for his e; and the amount of all the sums so paid shall, by the said commissioners, be allowed to the llector on the settlement of his account, in which account shall be expressed the name of the and the names of the assessors for each hundred, and the sum of money to them respectively d; and the said commissioners shall, after receipt of the said sums for the use of their clerk and said assessors, pay the same to them or their orders respectively on demand, under the penalty ty pounds current money to the party grieved.

Collector to pay commissioners, &c.

X. AND, whereas it is just that persons that have no families, and pay no tax whatever in conce of the rate imposed by this act, and who have ability, should contribute in some degree s the expences of government and the support of the war, BE IT ENACTED, That all free odied male inhabitants of this state, who have no families, and are above the age of twenty-one and under fifty, and are not otherwise rated, shall be assessed the sum of fifteen shillings current , in lieu of all other taxes, to be divided and paid in two payments as aforesaid, and the same e collected by the collectors in the several counties in manner above mentioned, or by execu-

Single men to be assessed, &c.

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tion of the body of the perſon making default; and it ſhall be lawful for every aſſeſſor, an hereby directed, on taking the name of any ſuch free male inhabitant, to require him to give ty for payment of the ſaid fifteen ſhillings, and in caſe of refuſal or delay, ſuch aſſeſſor ſhal him before ſome juſtice of the county, who, on refuſal or delay to give ſecurity, ſhall comm perſon to the gaol of the county, there to remain till payment or ſecurity given therefor, and collector and deputy-collector is inveſted with the ſame power; and if any ſuch perſon ſhall out of the county, it is declared to be the duty of any aſſeſſor, collector, deputy-collector o miſſioner, acquainted therewith, to give information thereof to the collector or deputy-collec ſome one of the aſſeſſors or commiſſioners, of the county, where ſuch perſon ſhall be, and them, on ſuch notice, ſhall inquire after and may arreſt ſuch perſon, and carry him before ſo tice, who ſhall commit him to the gaol of his county, there to remain till payment of thirty ſ current money and the coſts of impriſonment.

What perſons are paupers.

LXI. AND, to aſcertain what perſons ſhall be deemed paupers, and not liable to pay any aſſe for the ſupport of government, BE IT ENACTED AND DECLARED, That all perſons (not included above deſcription,) whoſe property ſhall not be valued above ten pounds current money, ſhall are hereby declared paupers, and ſhall not be chargeable with any tax to the ſupport of gover

Collector's fees.

LXII. AND BE IT ENACTED, That if any collector ſhall be obliged to enforce the colle the aſſeſſment by diſtreſs and ſale, or by execution of the perſon, he ſhall receive the ſame the ſheriff is entitled to by law for the like ſervice, payable in current money, or in bills of at the rate herein before mentioned; and any perſon, whoſe property ſhall be liable for pay the ſaid aſſeſſment, or any part thereof, may diſcharge the ſame, at any time before ſale of t perty diſtrained, in bills of credit as aforeſaid, or in any of the ſpecific articles aforeſaid (freſh pork,) at the price aforeſaid, and in ſuch caſe the collector ſhall receive for his trouble o of the fees he would be entitled to on ſale.

Debtor may deduct, &c.

LXIII. AND BE IT ENACTED, That from all intereſt of money or tobacco which ſhall beco between the firſt day of January, ſeventeen hundred and eighty-two, and the firſt day of J ſeventeen hundred and eighty-three, the debtor may deduct one ſixth part of the ſaid intere agreement to the contrary notwithſtanding, and any contract hereafter made to the contrary void in law; and if any creditor ſhall refuſe to allow ſuch deduction, he ſhall forfeit treble t of money or quantity of tobacco by him ſo refuſed to be deducted, to the uſe of ſuch debt ſuch debtor may recover the forfeiture on warrant before a juſtice of the peace, if the ſum d exceed his juriſdiction, and if it does, by action at law, as for money or tobacco received to

Commiſſioners, &c. to take the oath, &c.

LXIV. AND BE IT ENACTED, That if any perſon appointed a commiſſioner, aſſeſſor or co ry, or to any office in virtue of this act, hath not heretofore taken the oaths, (or if a quaker, niſt or tunker, the affirmations,) of fidelity and ſupport to this ſtate, ſuch perſon ſhall, before as ſuch, unleſs to adminiſter the oaths directed by this act, ſubſcribe a declaration of his b the chriſtian religion, and take the oath (or if a quaker, menoniſt or tunker, the affirmati fidelity to this ſtate, directed by the conſtitution, and the oath or affirmation preſcribed by th puniſh certain crimes and miſdemeanors, and to prevent the growth of toryiſm; which oaths mations any one of the ſaid commiſſioners, or any juſtice of the peace, may adminiſter.

Duties may be performed, &c.

LXV. AND BE IT ENACTED, That if any of the days appointed by this act for the perfo of any of the duties hereby required ſhall happen to be a Sunday, then ſuch duties ſhall be per on the day following.

Suits, when to be commenced, &c.

LXVI. AND BE IT ENACTED, That if any ſuit ſhall be brought againſt any perſon for an done in purſuance of this act, the ſuit ſhall be commenced within ſix months after the fact com and the defendant in any ſuit may plead the general iſſue, and give this act and the ſpecial m evidence, and that the ſame was done in purſuance and by authority of this act, and if it ſ pear ſo to be done, or if any ſuch ſuit ſhall be brought after the time limitted, then the ju find for the defendant, and if the plaintiff ſhall become nonſuit, or ſuffer a diſcontinuance, verdict ſhall paſs, or upon demurrer judgment ſhall be given, againſt him, the defendant ſhall treble coſts, and have ſuch remedy for the ſame as any defendant hath for coſts of ſuit in oth at law.

Holders may diſcount, &c.

LXVII. AND BE IT ENACTED, That the holder of any certificate for money borrowed public, or for allowances on the journal to public creditors, under the faith of the legiſlature

that the ſame, or the intereſt thereof, ſhould be diſcounted for taxes, may, if he requeſts the have his tax impoſed by this act diſcounted according to the engagement of the public, rating money due for principal or intereſt diſcounted according to the value of the money when the ficate was given, ſuch value to be aſcertained by the ſcale of depreciation ſettled by the act (a) inſt the debts due from this ſtate; and the holder of any certificate for grain, flour or other pro-s, purchaſed or taken, or for veſſels or carriages hired or impreſſed, or houſes rented, under act of aſſembly of this ſtate, promiſing that the value or price ſhould be diſcounted in payment of ublic taxes, may produce his certificate to the commiſſioners of the tax for his county, and the miſſioners are to adjudge and endorſe on the certificate the value of the freight, hire or rent ſaid, or the market price in their county of the grain, flour or other proviſions, mentioned in, in current money, at the time the ſame was delivered or taken, and the holder of ſuch cer-te may have a diſcount of his tax impoſed by this act, not exceeding the ſum due thereon, ac-ing to the value aſcertained by the endorſement, and the collector ſhall endorſe ſuch diſcount, the date when made, on ſuch certificate, and ſhall thereto ſubſcribe his name.

(a) May, 1781, ch. 17.

XVIII. WHEREAS divers frauds and abuſes have been committed by collectors, by buying up at ent certificates allowed by law to be paid in diſcharge of the public aſſeſſment, and paying them the public treaſury inſtead of the money received from the people, BE IT ENACTED, That no ſtor ſhall have any allowance for any certificate, unleſs he will declare on oath, (to be admini-d by either of the treaſurers,) that the ſaid certificate was honeſtly and *bonâ fide* received or unted in payment of the aſſeſſment due on the property in his county; and any collector ſwear-lſely in the premiſes ſhall be liable to the ſame proſecution and puniſhment as in other caſes of l and corrupt perjury, and ſhall incur all the diſabilities attending ſuch infamous crime. Collectors to declare on oath, &c.

XIX. AND BE IT ENACTED, That the rate aforeſaid impoſed by this act in current money ſhall eemed Spaniſh dollars at ſeven ſhillings and ſix-pence each, and Portugal half Johannes at three s each, and other ſilver and gold at the ſame value; and the ſalary to the commiſſary ſhall ſcharged in wheat at ſeven ſhillings and ſix-pence per buſhel, and the allowance to any aſſeſſor, o the commiſſioners and their clerk, ſhall be alſo diſcharged in wheat at the price aforeſaid, or be diſcounted in their aſſeſſment, and the commiſſion to the commiſſary ſhall be paid in wheat ur at the price limitted in this act, and the commiſſions of the collectors ſhall be paid in gold or upon ſuch ſums as may be collected in gold and ſilver, and in the ſeveral and reſpective bills of t, at the rates aforeſaid, upon the ſums collected in ſuch bills reſpectively, in tobacco upon the ctions made in tobacco, and in the ſaid bills of credit of the laſt emiſſion at par, upon the value l other articles collected in conſequence of this act, or in ſuch articles, at the prices herein be-reſpectively limitted, at the election of ſuch collector; and every penalty inflicted by this act in nat money ſhall be paid in ſilver or gold at the value aforeſaid. Rate impoſed in current money, &c.

XX. AND BE IT ENACTED, That the tax of fifteen ſhillings, directed to be collected in the month nuary, ſeventeen hundred and eighty-two, ſhall and may be paid in the ſame manner, and with lternative, as is herein directed for the tax impoſed by this act, and applied in the ſame manner; ded that ſuch perſons who have paid the tax aforeſaid, or any part thereof, in ſpecific articles, e rates ſettled by the act aforeſaid, ſhall have credit in their taxes at the rate ſettled by this act. Fifteen ſhillings tax to be paid, &c.

XXI. AND, whereas the general aſſembly, at their laſt ſeſſion, did engage to make proviſion at the ſeſſion for the punctual payment of intereſt on the debts due from the public, BE IT ENACTED, ſo much of the money and ſpecific articles collected in virtue of this act as may be neceſſary, be firſt applied, and is hereby appropriated and ſet apart, for the payment of one year's intereſt ch certificates as have been or ſhall be adjuſted agreeable to the act (b) relating to public credi-and to enſure the punctual payment of one year's intereſt at the time when due, the governor the council are requeſted, if a ſufficient ſum of gold or ſilver ſhall not be in the public treaſury, reſt that as much tobacco, wheat or flour, as may be neceſſary to pay one year's intereſt on ſuch ficates, to be ſold for that purpoſe, and the general aſſembly will provide for the conſtant and nual payment of the annual intereſt, until the principal ſum ſhall be diſcharged. Money, &c. to be firſt applied, &c.

(b) May, 1781, ch. 36.

XXII. AND BE IT ENACTED, That the money, tobacco, and ſpecific articles, obtained in vir-of this act, and the act, entitled, A further ſupplement to the act to raiſe the ſupplies for the ſeventeen hundred and eighty-one, (c) ſhall be appropriated to furniſh the ſupplies required of this Money, &c. appropriated, &c.

(c) May, 1781, ch. 25.

CHAP. IV.

this ſtate by congreſs, and to diſcharge the civil liſt, and in ſuch other manner as the general
bly ſhall direct.

Money appropriated for debts, &c.

LXXIII. AND, whereas ſome of the public creditors have advanced money to the ſtate, o
miſes of ſpeedy payment, and others may be greatly diſtreſſed and injured, unleſs the whole o
part of their debt be paid; BE IT ENACTED, That the ſum of twenty thouſand pounds current
be appropriated for that purpoſe, and that the ſaid ſum be raiſed by a ſale of public wheat an
now on hand; and the governor and the council may alſo pay any creditors on certificates for
purchaſed or taken, or on certificates which have been or ſhall be adjuſted agreeable to the
relating to public creditors, or horſes purchaſed, the bills of credit of the laſt emiſſion at par,
will receive the ſame; and the ſum of twenty thouſand pounds of the ſaid emiſſion is hereby
priated to that purpoſe.

(a) May, 1781, ch. 36.

Bills not to re-iſſue, &c.

LXXIV. AND BE IT ENACTED, That any bills of credit of the laſt emiſſion, or emitted
paſſed at June ſeſſion, ſeventeen hundred and eighty, which have been or ſhall be paid or re
into the treaſury for taxes, or in payment for confiſcated Britiſh property, ſhall not on any a
re-iſſue, but ſhall be punched, counted and laid by, to be deſtroyed by a committee of the h
delegates at the next ſeſſion thereafter.

Copies to be printed, &c.

LXXV. AND BE IT ENACTED, That Mr. Frederick Green, printer, according to his agre
with the houſe of delegates, ſhall print, and ſtitch in blue paper covers, ſeven hundred an
copies of this act, and make the ſame up into eighteen parcels of thirty-ſix copies, directed
commiſſioners named in this act for the ſeveral counties; and each commiſſioner ſhall keep one
ſaid copies for his own uſe, and the others ſhall, by the ſaid commiſſioners, be diſtributed
aſſeſſors of the ſeveral hundreds in their reſpective counties; which parcels the ſaid printer ſh
dorſe for the public ſervice, and deliver to the ſheriff of Anne-Arundel county, on or bef
tenth day of January, ſeventeen hundred and eighty-two, under the penalty of twenty-pound
the ſeveral ſheriffs are hereby required to forward them in the ſame manner as public letter
the printer ſhall deliver the reſidue of ſaid copies to the clerks of the ſenate and houſe of del

CHAP. V.

Paſſed 22d of Jan. 1782.

An ACT for the trial and puniſhment of ſpies. Lib. TBH. No. A. fol. 87.

To continue during the war with Great-Britain. Expired.

CHAP. VI.

An ACT to make valid a deed from Lemuel Cravath to Nathaniel Ramſey. Lib. TBH.
fol. 88. A Private Act.

CHAP. VII.

An ACT to continue the acts of aſſembly therein mentioned. TBH. No. A. fol. 89.

Several acts continued.

BE IT ENACTED, *by the General Aſſembly of Maryland*, That an act of aſſembly, entitled,
concerning eſtates tail, and the juriſdiction of the county courts, made at a ſeſſion of a
begun and held at the city of Annapolis on Tueſday the fifteenth day of June, ſeventeen h
and ſeventy-three, (b) be and is hereby continued, and ſhall be and remain in full force
during the term of one year, and to the end of the next ſeſſion of aſſembly which ſhall happen
after; that another act of aſſembly, entitled, An act for the ſpeedy recovery of ſmall debt
court, made at a ſeſſion of aſſembly begun and held at the city of Annapolis on Monday the fi
day of June, ſeventeen hundred and ſeventy-ſeven, (c) be and is hereby continued, and ſhall
remain in full force for and during the term of three years, and to the end of the next ſeſſion
ſhall happen thereafter; that another act of aſſembly, entitled, An act to continue an act for
gulation of officers fees, and for other purpoſes, made at a ſeſſion of aſſembly begun and held
city of Annapolis on Tueſday the ſeventeenth day of October, ſeventeen hundred and eigh
be and is hereby continued, and ſhall be and remain in full force for and during the term of on
and to the end of the next ſeſſion of aſſembly which ſhall happen thereafter; that another ac
ſembly, entitled, A ſupplement to the act for the regulation of the ſtaple of tobacco, made
ſion of aſſembly begun and held at the city of Annapolis on Tueſday the ſeventeenth day of O
ſeventeen hundred and eighty, (e) be and is hereby continued, and ſhall be and remain in fu
until the end of the next ſeſſion of aſſembly; that another act of aſſembly, entitled, An ad
ſupp

(b) June, 1773, ch. 1. (c) June, 1777, ch. 12. (d) October, 1780, ch. 23. (e) October, 1780, c

ment to the act for the regulation of the ſtaple of tobacco, made at a ſeſſion of aſſembly begun CHAP. VII.
ld at the city of Annapolis on Thurſday the tenth day of May, ſeventeen hundred and eighty-
(f) be and is hereby continued, and ſhall be and remain in full force until the end of the next
of aſſembly; and one other act of aſſembly, entitled, An act for the ſpeedy conveyance of
letters and packets, and for other purpoſes, made at a ſeſſion of aſſembly begun and held at
y of Annapolis on Tueſday the ſeventeenth of October, in the year of our Lord one thouſand
hundred and eighty, (g) be and is hereby continued, and ſhall be and remain in full force for
ar, and until the end of the next ſeſſion of aſſembly that ſhall happen thereafter.

(f) May, 1781, ch. 16. (g) October, 1780, ch. 16.

CHAP. VIII.

CT to veſt in the members of the German reformed church an eſtate in fee-ſimple in a lot of Paſſed 22d of
nd in Monococy manor, in Frederick county. Lib. TBH. No. A. fol. 89. Jan. 1782.

CHAP. IX.

ACT for holding ſpecial elections in Cæcil county, that the inhabitants of ſaid county may declare at what place their courts and elections ſhall be held, and for other purpoſes therein mentioned. Lib. TBH. No. A. fol. 90.

HEREAS many of the inhabitants of Cæcil county have petitioned this general aſſembly, Preamble.
ſetting forth, that their preſent court-houſe and public gaol are in a very decayed and uſeleſs
ion, and that the place where they at preſent ſtand is very inconvenient to the majority of the
tants of ſaid county, and therefore praying that the ſame may be removed, if conſiſtent with
nion in general of the people of the county aforeſaid; and this aſſembly thinking it juſt and
ent that the prayer of their petition ſhould be granted,

BE IT ENACTED, *by the General Aſſembly of Maryland*, That ſpecial elections ſhall be held in Special elections to be held, &c.
county in manner and form following; that is to ſay, the firſt election to be held at the court-
in ſaid county on the laſt Monday and Tueſday in February next, of which ten days notice by
ſement ſhall be given at the court-houſe, churches, meetings, and other public places in the
, by the ſheriffs and conſtables of the ſaid county; the ſecond election to be held at the Head
, in ſaid county, on the Wedneſday and Thurſday following; and that the third election ſhall
at Charles-town on the Friday and Saturday following.

AND BE IT ENACTED, That John Stockton, Thomas May and David Smith, ſhall be and they Judges appointed, &c.
reby authoriſed and empowered, or any one or more of them, to act as a judge or judges for
the elections aforeſaid, and ſhall attend the ſame on the ſeveral days by this law directed,
prevented by ſickneſs or other unavoidable accident, and ſhall and may receive the votes of
the free male inhabitants, reſidents in ſaid county, qualified to vote for delegates for ſaid
, at any one of the places by this act appointed for the receiving of the ſame, provided that
er ſhall give his ſuffrage at more than one of the places for holding the elections aforeſaid.

AND BE IT ENACTED, That the ſaid judges, or any two of them, are hereby authoriſed to Who are to appoint clerks, &c.
one or more clerks, to take the votes aforeſaid agreeable to the directions of this act, who
efore he or they enter upon the execution of the ſame, take the following oath or affirmation,
caſe may be,) to wit: "I, —— —— do declare, that I will well and faithfully, without
r, affection or partiality, execute the office of clerk of the elections, according to the beſt of
nowledge; ſo help me God."

AND BE IT ENACTED, That each judge by this act appointed ſhall, before he acts as ſuch, take Their oath.
lowing oath or affirmation, to wit: "I, A. B. do ſwear, or affirm, that I will permit all per-
to vote who ſhall offer to do ſo at the elections by this act directed, who in my judgment ſhall,
ding to law, be entitled to vote at the ſame elections, and I will not admit any perſon
te at the ſame elections, who before his voting there may be objections made againſt, if ſuch
is not in my judgment qualified to vote as aforeſaid, and will in all things execute the office
ge of the ſaid elections, according to the beſt of my knowledge, without favour or partiality;
p me God."

AND BE IT ENACTED, That the judges aforeſaid, or any one or more of them, are hereby di- Their duty.
that at the cloſe of every and each of the ſaid three elections, to cauſe their clerk or clerks

to

CHAP. IX.

to caſt up the number of votes which have at each diſtinct place been given in to the judges or aforeſaid, and after a full examination of the ſame, ſhall be ſigned by any or either of the holding the ſaid election, and cauſe the ſame to be immediately thereafter publiſhed; and at th cluſion of all the ſaid elections, the judges aforeſaid ſhall alſo publiſh the number of votes ta aforeſaid, ſpecifying the place where the ſeveral votes expreſs the voters judgment, where ſenſe of the people will be aſcertained.

Greateſt number to determine, &c.

VII. AND BE IT ENACTED, That at the place where the greateſt number of voters ſhall to be in favour of, ſhall for the preſent be deemed and taken the place where the courts and el of the county aforeſaid ſhall be held, and is hereby declared to be the true and proper pl holding the ſame, until a court-houſe and gaol ſhall be erected thereon, and then for ever ther

Juſtices to purchaſe land, &c.

VIII. AND BE IT ENACTED, That the juſtices of Cæcil county court, or the major part of (upon a certificate returned to them by the judges by this act appointed, therein particularly ſ ing their proceedings in the elections aforeſaid, and more eſpecially the number of voters fo place,) be and are hereby authoriſed and empowered, on or before their next court for lay county charge, to go to the place where the greater number of voters appear to be in fav and there make choice of any quantity, not exceeding four acres, of land, whereon to build court-houſe and gaol as they ſhall think neceſſary, and to agree with the owner or owners land for the purchaſe thereof for ever; and in caſe the owner or owners of ſuch land ſhall re make ſale of ſuch quantity, not exceeding four acres, of land, at a reaſonable price, or be any diſability of making thereof, then the ſaid juſtices, or the major part of them, ſhall be by virtue of this act authoriſed and required to iſſue their warrants to the ſheriff of the ſaid requiring and commanding him to empannel and return a jury of the moſt ſubſtantial freeh (not leſs than twelve,) inhabitants within the ſaid county, to be and appear before the ſaid at the place, upon a certain day to be by them appointed; which jury, upon their oaths, t the ſaid juſtices, or the major part of them, to the ſaid jurors adminiſtered, ſhall inquire i value of the ſaid quantity, not exceeding four acres of land, and the damages the owner or thereof will ſuſtain by the building a court-houſe and gaol thereon, and what ſum of current the ſaid jurors ſhall allow to the owner or owners of ſuch land, and damages for building a houſe and gaol thereon, ſhall be paid to the owner or owners of ſuch land by the county af and the county entitled to ſuch land for ever; and the ſaid juſtices, or the major part of the hereby authoriſed and empowered to cauſe the ſaid quantity, not exceeding four acres of land laid out by a ſurveyor, and a certificate thereof to be returned and recorded in the county c cords, and to treat and agree with undertakers or workmen to build and finiſh a priſon as poſſible on the land aforeſaid; and the ſaid juſtices, with the conſent of the commiſſioners of ſhall cauſe a court-houſe to be built on ſaid land, when the expence thereof can be eaſily b the people of the county aforeſaid, and the charge of the ſaid works, and coſt of the lands, upon the ſaid county by an equal aſſeſſment of the taxable property and perſons therein.

Courts to be held in new court-houſe, &c.

IX. AND BE IT ENACTED, That after the finiſhing of the ſaid court-houſe to be built a ſaid, the ſeveral courts of Cæcil county ſhall be held in ſuch new court-houſe, and not elſ unleſs in the caſe of evident neceſſity, and ſuch new houſe ſhall be taken, held and deemed to proper court-houſe of Cæcil county.

Old court-houſe to be ſold, &c.

X. AND, for empowering the juſtices of the ſaid county court to make ſale of the now cou and priſon belonging to the ſaid county, BE IT ENACTED, That the juſtices of the ſaid count or the major part of them, are hereby authoriſed and required, with all convenient ſpeed, ſale of the ſaid old court-houſe and priſon, with the right of the county to the land thereto ing, to the beſt purchaſer or purchaſers, and to convey an eſtate thereof to them, their h aſſigns; and the money that ſhall ariſe from the ſale thereof ſhall be applied to the uſe of the towards defraying the charge thereof.

CHAP. X.

Paſſed 22d of Jan. 1782.

An ACT for an election to determine at what place the court- and priſon of Harford county ſhall be built. Lib. TBH. N fol. 93.

Preamble.

WHEREAS the inhabitants of Harford county, by their petition to this general aſſemb ſet forth, that there has ſubſiſted for a conſiderable time paſt a diverſity of ſentimen them, about the moſt proper place in the ſaid county on which to erect their court-houſe an

ayed that the place might be determined by a majority of the voters of the county, which this ly hath thought proper to grant;

An election to be held, &c.

BE IT ENACTED, *by the General Assembly of Maryland*, That to ascertain the place in Harford on which the court-house and prison for the said county shall be built, an election shall be by the commissioners of the tax, or any two of them, of the said county, at Harford-town, third Monday in March next, of which ten days, by advertisement, shall be given by the ioners aforesaid, at the court-house, churches, chapels, meeting-houses, and other public in said county, and all persons qualified to vote for delegates shall have a right to suffrage; e said commissioners shall be the judges of the election, and may adjourn from day to day, if ry, till the same be finished, so that it be concluded in four days; and the said commissioners mmon two justices of the peace, who are required to attend for the preservation of the peace; e said commissioners shall appoint a clerk or clerks for taking the poll; and the said commis- , before they proceed to receive any vote, shall take an oath, "that they will permit all per- o vote at the election to be held in virtue of this act, who in their judgment are qualified to r delegates, and that they will not admit any person to suffrage who is not qualified to vote as id, if such person, before his voting, shall be objected against by any three of the electors, t they will in all things execute the office of judges of the said election, according to the best r knowledge, without favour, affection or partiality;" and every person appointed clerk of the lection shall, before he enters any vote on the polls, take an oath, "that he will well and lly, without favour, affection or partiality, execute the office of the clerk of the said election."

Places to be voted for, &c.

AND BE IT ENACTED, That not more than four places, to wit: Harford-town, Otter Point, Roads, otherwise Gravelly Hill, Lower Cross Roads, and Aquila Scott's (of James) Old shall be voted for; and if two only are proposed, the place for which a majority of votes shall shall be the place on which the court-house and prison for the said county shall be erected, more than two places are voted for, there shall be a second election held at Harford-town, in nner as the first, on the third Monday of April next, and the voters shall be confined to the aces which on the first election had the greatest number of votes, and the place for which a y of votes shall appear shall be the place on which the court-house and prison of the said coun- l be built.

Justices to purchase land, &c.

AND BE IT ENACTED, That the justices of Harford county are hereby authorised and required chase, in fee, a quantity of land not exceeding four acres, at the place determined as afore- the most proper place in the said county on which to erect the public buildings, for the pur- building thereon a court-house and prison for the said county, and shall cause the said land to out by the surveyor of the county with good and sufficient boundaries, and a certificate there- e delivered to the clerk of the county, who shall record the same; and the said justices shall purchase money out of the money collected by act of assembly for the building a court-house ion in the said county, and on payment the said land shall become the property of the said for ever; and if the said justices and the owner of the land cannot agree on the price thereof, wner shall be under any disability to contract for the sale thereof, the said justices are authorised r the sheriff of Harford county to summon twelve freeholders upon the said land, who shall be nelled and sworn as a jury to inquire the value of the said land, and the said justices shall pay declared by the said jury to be the value of the land, and thereupon the property in the said all be vested in the said county for ever, for the purposes aforesaid.

To rent an house, &c.

AND BE IT ENACTED, That the said justices of Harford county be authorised to rent, at the e of the county, such house or houses as they may think proper, in which to hold the courts said county, and to keep the books, papers and records thereof, until the court-house shall t; and the said justices may also procure, at their county charge, some fit, convenient and ilding, in the county, for the custody of debtors and prisoners, (at the place to be ascertained le to this act on which to erect the public buildings for the said county,) until the prison for county shall be built and ready for the reception of debtors and prisoners.

And to contract, &c.

AND BE IT ENACTED, That the justices of Harford county be empowered and required to , as soon as may be, for the building of a court-house and prison on the land to be purchased esaid, and to pay the expence thereof out of the money already collected for that purpose; e said justices are required first to agree for the erecting a prison for the said county, and to as much of the public money belonging to the said county as may be necessary for that pur-

CHAP. X. Greateſt number to determine.

VII. AND BE IT ENACTED, That at the place where the greateſt number of voters ſhall to be in favour of, ſhall for the preſent be deemed and taken the place where the courts and ele of the county aforeſaid ſhall be held, and is hereby declared to be the true and proper place for ing the ſame, until a court-houſe and gaol ſhall be erected thereon, and then for ever thereaft

CHAP. XI.

Paſſed 22d of Jan. 1782.

An ACT relating to coſts in criminal caſes. Lib. TBH. No fol. 95.

Preamble.

WHEREAS it is unjuſt and oppreſſive that any perſon, who may be proſecuted for any cr which he is not guilty, ſhould be burthened with the coſts and charges accruing on the cution;

Perſons not to pay fees, &c.

II. BE IT ENACTED, *by the General Aſſembly of Maryland*, That no perſon who may be proſ for any miſdemeanor or offence, and diſcharged by the court on ſubmiſſion, or fined not exc one ſhilling current money, or proſecuted for any crime and acquitted on trial by a jury, ſ burthened with the payment of any coſts or fees accruing on ſuch proſecution, but all ſuch co fees, with the legal coſts of the party accuſed, ſhall, in caſes tried in the county courts, be c to the county where ſuch trial is had, and taxed and collected as part of the county charg ſuch coſts and fees on trial in the general court, ſhall be charged to the ſtate, and paid as othe lic charges; and no perſon taken upon any warrant, or *capias* on preſentment, where no bill dictment is found in conſequence thereof, ſhall be liable to pay or give ſecurity for any coſts count of ſuch warrant, preſentment or *capias*, but the ſame ſhall be charged to and paid by the ty, or the public, as aforeſaid.

Duration.

III. This act to continue in force for three years, and until the end of the next ſeſſion of a which ſhall happen thereafter.

Continued for three years, &c. by the act of 1784, ch. 83, for three years, &c. by November, 1787, ch. 34. Expir vived and continued by November, 1792, ch. 77, to 30th October, 1799, &c. See 1793, ch. 57, ſection 19.

CHAP. XII.

An ACT to prevent the exportation of bread and flour not merchantable, and for other pu Lib. TBH. No. A. fol. 96.

This act was to continue for ſix years, &c. Continued by November, 1787, ch. 38, for ſeven years, &c. by 1795 to 30th January, 1798. Expired. Revived and continued (except where altered,) by 1798, ch. 10, to the end of th and all acts done under it confirmed.

CHAP. XIII.

An ACT directing the proceedings againſt perſons guilty of fo cation. Lib. TBH. No. A. fol. 101.

Supplements 1785, ch. 47, 1796, ch. 34.

Juſtices to iſſue warrants, &c.

BE IT ENACTED, *by the General Aſſembly of Maryland*, That from and after the end of this ſeſſion of aſſembly, it ſhall and may be lawful for any juſtice of the peace within this ſt often as he ſhall be informed of any female perſon having an illegitimate child, to iſſue his w to the conſtable (a) of the hundred in which ſuch perſon reſides, who is hereby required to car perſon before ſome juſtice of the peace of the county, who ſhall call on her for ſecurity to ind the county from any charge that may accrue by means of ſuch child, and, upon neglect or r to commit her to the cuſtody of the ſheriff of the county, to be by him ſafely kept until ſhe ſh ſuch ſecurity; but in caſe ſhe ſhall on oath diſcover the father, then the ſaid juſtice is her quired to diſcharge her from ſuch warrant, and directed to call ſuch father, if a reſident county, before him, and ſhall cauſe him to give ſecurity in the ſum of thirty pounds current to indemnify the county from all charges that may ariſe for the maintenance of ſuch child; caſe the father be a reſident of any other county within this ſtate, then the juſtice ſhall tr under his hand and ſeal, a copy of the proceedings in ſuch caſe had, and the juſtice to whom t proceedings ſhall be ſent, ſhall forthwith proceed againſt the father in manner and form as is directed.

(a) By 1785, ch. 47, the conſtables are required to give information to ſome juſtice of any free woman having an ill child.

Proviſo.

II. PROVIDED ALWAYS, That in caſe any perſon charged with being the father of a baſta ſhould think himſelf aggrieved by the judgment aforeſaid, it ſhall and may be lawful for t

...n, and he is hereby required, to cauſe ſuch perſon to enter into recognizance for his appearance ...e next county court; (a) and the juſtices of the ſaid county court are hereby directed to take ...ance thereof, and ſuch proceedings ſhall thereupon be had as in other criminal caſes; and if ...erſon ſo charged be found guilty by the verdict of a jury, the court ſhall immediately order ſuch ...n to give ſecurity to indemnify the county from any charges that may accrue for the mainte... ...e of the ſaid child; and if he ſhall neglect or refuſe to give ſuch ſecurity, he ſhall be committed ...e cuſtody of the ſheriff until he comply; and any perſon ſwearing falſely in the premiſes ſhall ...r the ſame pains and penalties as perſons guilty of wilful and corrupt perjury.

(a) By 1785, ch. 47, the juſtices are directed to return ſuch recognizances to the next county court, which is to be recorded, ...proceſs to iſſue thereon. By 1796, ch. 34, any juſtice of the peace may, on application, iſſue an order for the payment of a ... not exceeding thirty dollars *per annum*, till the child ſhall arrive to the age of ſeven years, on failure whereof a *ſcire facias* ...iſſue on the recognizance.

CHAP. XIV.

ACT to empower William Wilkinſon and John Cradock to ſell and diſpoſe of a certain tract of ...d for the purpoſes therein mentioned. Lib. TBH. No. A. fol. 102. A Private Act. Paſſed 22d of Jan. 1782.

CHAP. XV.

ACT to empower Henry Griffith and Charles Greenbury Griffith to ſell certain lands for the ...rpoſes therein mentioned. Lib. TBH. No. A. fol. 103. A Private Act.

CHAP. XVI.

ACT to declare what foreign gold and ſilver coin ſhall be deemed the current money of the ſtate. Lib. TBH. No. A. fol. 104.

BE IT ENACTED, *by the General Aſſembly of Maryland*, That the foreign gold and ſilver coin herein after mentioned ſhall paſs current within this ſtate at the following rates, to wit: Rates of gold, &c.

	£.		
Johannes's, weighing eighteen pennyweight,	6	0	0
Half johannes's, weighing nine pennyweight,	3	0	0
Moidores, weighing ſix pennyweight eighteen grains,	2	5	0
Engliſh guineas, weighing five pennyweight ſix grains,	1	15	0
French guineas, weighing five pennyweight five grains,	1	14	6
Doubloons, weighing ſeventeen pennyweight,	5	12	0
Spaniſh piſtoles, weighing four pennyweight ſix grains,	1	8	0
French milled piſtoles, weighing four pennyweight four grains,	1	7	6
Arabian chequins, weighing two pennyweight three grains,		13	9
Other gold coin, (German excepted,) by the pennyweight,		6	5
Engliſh milled crowns,		8	4
Other Engliſh milled ſilver at ſame rate.			
French ſilver crowns,		8	4
Spaniſh milled pieces of eight,		7	6
Other good coined Spaniſh ſilver, per ounce,		8	6
Any other gold coin of the ſame fineneſs of Spaniſh or Portugal coin, per ounce,	6	13	4

...ſhall be deemed and adjudged in all courts of law, and in the court of equity and orphans courts, ...current money of the ſtate, and ſhall be received as ſuch in payment of all debts, covenants, ...acts, promiſes and agreements, at the value above expreſſed, except in the ſettlement of de... ...perſons eſtates, where the appraiſements were made in the eſtates accounted for in dollars at ...illings.

AND BE IT ENACTED, That all judgments and decrees, appraiſements of the eſtate of any de... perſon, and all penalties, fines and forfeitures, ſhall only be rendered, given, made or im... in current money, at the rate and value aforeſaid; and all mortgages, judgments, debts, ...unts, contracts, promiſes or agreements, heretofore made for ſterling money, may be diſcharged ...y gold or ſilver coin above mentioned, at the rate of one hundred and ſixty-ſix pounds thirteen ...gs and four-pence current money for one hundred pounds ſterling. Judgments, &c. how to be rendered, &c.

PROVIDED ALWAYS, AND BE IT ENACTED, That nothing in this act contained ſhall be taken ...ſtrued to repeal any part of the act (b) for calling out of circulation the quota of this ſtate of ...ills of credit iſſued by congreſs, and the bills of credit emitted by acts of aſſembly under the ...overnment, and by the reſolve of convention. Proviſo.

(b) October, 1780, ch. 5.

CHAP. XVI.

Duration.

IV. This act to continue and be in force for and during the term of two years, and until t
ſeſſion of aſſembly which ſhall happen thereafter.

Continued for three years, &c. by November, 1783, ch. 30, for three years, &c. by 1786, ch. 35, by 1789, ch. 5
October, 1796, &c. by 1796, ch. 64, to 30th October, 1798, &c. where not altered by other acts, and by 1798,
30th October, 1805, &c.

CHAP. XVII.

Paſſed 22d of Jan. 1782.

An ACT concerning nonjurors. Lib. TBH. No. A. fol. 105.

Treble tax ſuſpended.

BE IT ENACTED, *by the General Aſſembly of Maryland*, That the treble tax, which nonjurors
liable to pay on the aſſeſſment impoſed by the further ſupplement to the act to raiſe the
for the year ſeventeen hundred and eighty-one, and the act to raiſe the ſupplies for the yea
teen hundred and eighty-two, and the treble tax on all county aſſeſſments, ſhall be and is her
pended until the end of the next ſeſſion of aſſembly.

Part of an act repealed, &c.

II. AND BE IT ENACTED, That ſo much of the act for the better ſecurity of the governm
as impoſes on nonjurors a diſability to ſue for their debts, practiſe phyſic, or carry on merc
be and it is hereby repealed; and that no quaker, menoniſt or tunker, ſhall be fined for preac
goſpel without taking the oath or affirmation preſcribed by the ſaid act, unleſs it ſhall appear t
quaker, menoniſt or tunker, hath, by his actions and conduct, manifeſted a diſpoſition inimica
preſent government.

(a) October, 1777, ch. 20.

CHAP. XVIII.

An ACT to repeal all the acts of aſſembly heretofore made re to the ſeizure of proviſions or merchandiſe. Lib. TBH. N fol. 105.

Preamble.

WHEREAS the ſeizure of proviſions within this ſtate hath heretofore been adopted u
principle of neceſſity only, to procure an immediate ſupply for the uſe of the army,
ſeveral acts paſſed for ſupply payable in ſpecific articles making it unneceſſary to continue ſ
any longer;

Acts repealed.

II. BE IT ENACTED, *by the General Aſſembly of Maryland*, That all the acts of aſſembly he
made, empowering the governor and council, or any other perſon or perſons, to ſeize provi
merchandiſe of any kind, ſhall be and are hereby repealed, abrogated, and made null and voi

CHAP. XIX.

* Chapter 4.

A Supplement to the act * to raiſe the ſupplies for the year ſeve hundred and eighty-two. Lib. TBH. No. A. fol. 106.

Part of an act repealed, &c.

BE IT ENACTED, *by the General Aſſembly of Maryland*, That ſo much of the ſaid act as relat
payment and receipt of transfer tobacco for the rate and tax impoſed by the ſaid act,
and hereby is repealed, and no tobacco, unleſs in hogſheads of nine hundred and fifty n
leaſt, inſpected ſince the firſt day of April laſt, ſhall be received in payment of the rate im
the ſaid act.

Tobacco to be received, &c.

II. AND BE IT ENACTED, That net crop tobacco aforeſaid ſhall be taken and received in d
of the rate impoſed by the ſaid act at twenty-five ſhillings per hundred, with an allowanc
per cent. for the caſk, and ſo much of the ſaid act as relates to the price at which crop toba
be paid, ſhall be and hereby is repealed.

Treaſurer to tranſmit notes, &c.

III. AND BE IT ENACTED, That the treaſurer of the weſtern ſhore ſhall, as ſoon as
tranſmit the transfer notes which now are in the treaſury, or which may hereafter be rec
taxes already due, to the commiſſioners of the tax for the counties where ſuch transfer n
been given, and the commiſſioners ſhall require the inſpectors of the inſpection-houſes wh
transfer tobacco hath been or may be received, to prize the tobacco into hogſheads of not
nine hundred and fifty pounds of net tobacco, for which ſuch inſpectors ſhall be allowed an
the ſaid commiſſioners, out of the ſaid tobacco, ten *per cent.* on every hogſhead ſo prized,
above the allowance for ſhrinkage, ſuch inſpectors finding hogſheads and nails for the purp
ſaid, and if the inſpectors cannot find hogſheads and nails, the commiſſioners aforeſaid ſhal
the ſame, and draw orders for money or tobacco upon the collector of their county to pay

...ds and nails, or the said commissioners may pay for the same out of the said transfer tobacco; ...e said commissioners shall, as soon as the said tobacco is prized and made crop, transmit the ...for the same to the treasurer of the western shore, with an account of their proceedings and ...ements, to be settled and passed; and every inspector, refusing or neglecting to comply with ...t, shall forfeit and pay one hundred pounds, and every commissioner, neglecting or refusing to ...y with this act, shall forfeit and pay fifty pounds.

...AND, whereas there may not be flour and wheat on hand, not engaged for supplying the army, ...nt to raise twenty thousand pounds, to pay some of the public creditors who have advanced ...to the state on promises of speedy payment, and others who may be greatly distressed and in- ...unless the whole or some part of their debts be paid; BE IT THEREFORE ENACTED, That so ...of the said act as directs the governor and council to sell the wheat and flour now on hand for ...purpose aforesaid, be and is hereby repealed; and the governor and council are authorised and ...led to sell and dispose of any public tobacco now on hand, which may not be specially appro- ...d at this session of assembly, and any tobacco, wheat or flour, which may hereafter be raised ...received in virtue of the act, entitled, A further supplement to the act to raise the supplies for ...ear seventeen hundred and eighty-one, and the act to raise the supplies for the year seventeen ...ed and eighty-two, to raise the sum of twenty thousand pounds, for the payment of such ...tors.

Governor, &c. to sell tobacco, &c.

...AND BE IT ENACTED, That the governor and council may pay any creditors on certificates ...ed agreeable to the act to adjust the debts due from this state, in bills of credit of the last emis- ...t par, if they will receive the same.

May pay creditors, &c.

CHAP. XX.

ACT to appropriate certain lands to the use of the officers and ...oldiers of this state, and for the sale of vacant lands. Lib. TBH. No. A. fol. 107.

Passed 22d of Jan. 1782.

...WHEREAS there are large tracts of land within this state reserved by the late proprietors, ... which may be applied in discharge of the engagement of lands made to the officers and sol- ...of this state; and the granting the other vacant lands in this state would promote population, ...reate a fund towards defraying the public burthen;

Preamble.

...BE IT ENACTED, *by the General Assembly of Maryland*, That all the lands within this state, in ...ington county, westward of Fort Cumberland, and for which warrants have not issued, or ...s been made under common warrants, and are now *bonâ fide* the property of any subject of ...r any of the United States, and on which the money has been actually paid, shall be and are ...y appropriated to discharge the engagement of lands heretofore made to the officers and soldiers ...-state, and the residue to the use of the public, as the general assembly shall hereafter direct; ...o grant (a) shall issue on any survey made in virtue of such warrants before the order of the ...al assembly.

Lands appropriated, &c.

(a) By 1784, ch. 75, grants of these lands were authorised in the manner therein mentioned.

...AND BE IT ENACTED, That there shall be a land-office held for the western shore at the city ...napolis, and for the eastern shore at the place appointed for holding the general court on that ..., under the direction and care of the registers of those offices for the time being; and such re- ...shall have the possession and care of the extracts of the grants and certificates of the land on ...respective shores, which shall hereafter be made agreeable to the directions in the form of go- ...ent; and such registers shall grant warrants for the resurveying, proclamating or escheating, ...nd within any of the counties on their respective shores; and shall also, on the order or titling ...e treasurer of their shore, issue common or special warrants of vacant cultivation, for the sur- ...g any vacant land cultivated or uncultivated, in any of the counties on their respective shores; ...uch warrants shall be directed to, and executed by, the surveyor of the county where the land ...surveyed or escheated shall lie, who shall return his certificate to the register of the land-office ...e western shore, to be delivered by him to the examiner-general, (b) who, if the same shall be ...fect, shall return it to the said register, to be by him transmitted to the surveyor who made the ..., for amendment; but if the same shall pass examination, the examiner shall deliver it into the land-office

Land-offices to be held, &c.

(b) By 1795, ch. 88, no original certificate of survey or resurvey is to be received in the land-office, unless passed by the ...iner-general.

CHAP. XX.

land-office for the weſtern ſhore, and the regiſter thereof, (a) after payment of the purch caution money (if any due) to the treaſurer of the weſtern ſhore, ſhall make out a grant, and p the ſame to the chancellor for his approbation, and being atteſted by him, and ſigned by the go for the time being, the ſeal of the ſtate ſhall be thereunto annexed.

(a) By 1795, ch. 61, the regiſter of the land-office on the eaſtern ſhore is in ſuch caſes to make out a grant, and pre the judge of the land-office for the eaſtern ſhore for his approbation, and when approved, to tranſmit it to be atteſte chancellor, and ſigned by the governor.

Treaſurers may grant orders, &c.

IV. AND BE IT ENACTED, That either of the treaſurers may grant orders or titlings to t giſter of the land-office of their reſpective ſhore, for common warrants to take up vacant uncult land, or for ſpecial warrants to take up cultivated or improved vacant land, on the payment o ſhillings and ſix-pence current money per acre; (b) and the perſon who returns a certificate ſuch warrant, ſhall alſo pay to the treaſurers reſpectively, within one year from the time of out ſuch warrant, four ſhillings per acre (b) for every acre of vacancy included in ſuch certi ſo that ſeven ſhillings and ſix-pence current money per acre (b) be paid to the ſtate for ever of vacant land in any manner granted under warrants hereafter to be taken out; and no paten be delayed or denied on account of the ſecond payment aforeſaid not being made, but the r aforeſaid ſhall, upon making out every patent including vacant land, endorſe the ſum due, or come due thereon, and ſhall alſo deliver an account of the ſum due, or to become due on eve tent, and the time when the warrant was taken out, to the treaſurer of the weſtern ſhore, to tered on a book to be kept for that purpoſe; and on failure of payment at the day on which t due on any patent ſhall be payable, the treaſurer ſhall and may lodge with the clerk of the g court, or the clerk of any county court where ſuch patentee reſides, a particular of the ſum due b patentee, and thereupon ſuch clerk ſhall iſſue *fieri facias* againſt the lands and tenements, goo chattels, of ſuch patentee, to raiſe the money due on ſuch patent; and the lands granted b patent ſhall be liable, in whoſever hands it may be, to be taken in execution, to ſatisfy the ſu on ſuch patent; and the owners of certificates already made or returned, ſhall pay the ſum shilling and eight-pence current money per acre; and the treaſurer for the weſtern ſhore, f provements on cultivated land, ſhall receive their actual value in current money, and for e lands he ſhall receive two thirds of its real value in current money; and common or ſpecial wa may iſſue from the land-office on the weſtern ſhore (c) for any deficiency in any grant, on ſuc ciency appearing on a certificate of reſurvey, and alſo in the caſe of caution money paid a grant or certificate vacated; and any common warrant, or ſpecial warrant for vacant cultiv already iſſued, may be renewed within ſix months hereafter, and ſhall be executed within on after ſuch renewment; and the treaſurer for the weſtern ſhore ſhall have the care and poſſe all the debt-books and other papers relative to the revenue of the late proprietaries, and the given by the ſaid treaſurers ſhall be anſwerable for the faithful diſcharge of their office, and pliance with the directions of this act.

(b) By November, 1788, ch. 44, ſection 13, lands then vacant, and to affect which no warrant had iſſued, were liable to be taken up at the rate of three ſhillings and nine-pence per acre, payable in the proportions, and within the t quired by this act; and by 1791, ch. 85, ſection 8, vacant lands in Allegany county may be taken up at two ſhillings pence per acre, one half to be paid at the time of obtaining the warrant, and the other on the return of the certificate.

(c) By 1795, ch. 61, ſection 11, a ſimilar proviſion is made as to the eaſtern ſhore, under certain reſtrictions there tioned.

Titles ſaved, &c.

V. WHEREAS ſundry perſons, with the conſent of the late proprietary, or his agents or ſtew had ſurveys made within the reſerves, with intent to obtain leaſes thereon; BE IT ENACTED, the equitable title of perſons to ſuch ſurveys ſhall be ſaved, and only the reverſion of the ſtate be liable to ſale, in ſuch manner as the general aſſembly ſhall direct.

Time for compounding, &c.

VI. AND BE IT ENACTED, That the time for compounding for all vacant lands hereafter ſurveyed ſhall be within one year from the date of the warrant, and all perſons having ſurve ready made ſhall compound thereon on or before the firſt day of May next, (d) and the pu money on all eſcheats ſhall be paid within one year from the date of the warrant, after which reſpectively warrants may iſſue to any other perſon who ſhall apply for the ſame; and the go and council, from time to time, may make and eſtabliſh ſuch rules and orders for the direction treaſurers in iſſuing their titlings or orders for warrants, and for the conduct of the examiner ral and the regiſters in their reſpective offices, and for the behaviour of ſurveyors, as they ſhall proper, and ſuch rules and orders ſhall be obſerved by the ſaid officers reſpectively; (e) and

(d) The time has been further extended by ſeveral acts.

(e) By 1795, ch. 61, the governor and council ſhall cauſe to be tranſmitted to the regiſter of the land-office, and to miner for the eaſtern ſhore, certified copies of ſuch rules and orders as are or may be eſtabliſhed for the direction and gov of land-offices, and for the conduct of the treaſurer, &c. to be recorded by the ſaid officers, and to be ſubject to inſpectio

e ſhall ariſe concerning the validity of ſurveys or the grant of lands, the ſame ſhall be heard
etermined by the chancellor, as to all warrants or ſurveys heretofore granted or made, agree-
o the former rules of the land-office, and as to all warrants and ſurveys hereafter to be iſſued
cuted, according to ſuch rules and orders as ſhall be eſtabliſhed by the governor and the coun-
f)

) By 1795, ch. 61, ſection 5, the governor and council were directed to appoint a judge of the land-office for the eaſtern
to hear and determine all diſputes concerning the grant of lands, &c. in the ſame manner as the chancellor on the weſtern
; and by ſection 6, of the ſame act, an appeal is given from his determination to the chancellor, or judge of the land-office.

I. AND BE IT ENACTED, That the governor, with the advice of the council, be authoriſed to Governor to appoint an examiner, &c.
t and commiſſion one fit and proper perſon, (who ſhall reſide at Annapolis,) to be examiner-ge-
who ſhall examine, and paſs or reject, any certificate delivered to him, agreeable to the former
re rules and directions, as the caſe may be; and in caſe of refuſal, death, reſignation or diſ-
cation, of any perſon appointed examiner-general, the governor and council may appoint ano-
his place; and any perſon appointed ſhall, before he acts in his office, take the oath to the
nment, and an oath to execute his office diligently and faithfully, without favour, affection, par-
or prejudice.

By 1795, ch. 61, ſection 3, the governor and council were directed to appoint an examiner for the eaſtern ſhore.

II. AND BE IT ENACTED, That a preference ſhall be given to thoſe who have, before the firſt To whom preference is to be given, &c.
December, ſeventeen hundred and eighty-one, made, or may, after the firſt day of February,
teen hundred and eighty-two, make the firſt application for warrants, (in proper hours for the
ſion of public buſineſs;) provided, on application heretofore made, warrants ſhall be obtained
before the firſt day of July next; and no warrant of eſcheat ſhall be good, unleſs where the
hath died or ſhall die inteſtate, ſeized in fee-ſimple, and without having any relation of the
lood within two degrees (that is, firſt couſins,) as the ſame are reckoned by the common law,
ithout leaving any relation who might inherit, if a ſubject of this or any of the United States;
e public do engage to warrant and defend to the reſpective purchaſers their title in fee-ſimple
lands eſcheated, on payment of a like ſum of current money as was paid on the firſt purchaſe
cheat, in caſe where two thirds of the real value only is paid at the time of purchaſe, or with-
y additional ſum being paid, in caſe the full real value of the land is paid in current money at
me of eſcheating the ſame, if it ſhould afterwards appear that there is any perſon who might
as heir to ſuch land, or who might claim the ſame under any teſtamentary diſpoſition, if ſuch
was a ſubject of this or any of the United States, but whoſe claim is or may be deſtroyed by
a Britiſh ſubject.

795, ch. 61, ſection 4, the treaſurer of the eaſtern ſhore ſhall finally aſcertain the value of ſuch lands and improvements
s ſhore, and receive the money therefor.

AND BE IT ENACTED, That the value in current money of all eſcheat lands and improvements Value to be returned, &c.
on, and the real value in current money of all improvements on cultivated land, ſhall be return-
d certified by the ſurveyor, upon oath, at the time of returning his certificate of ſurvey; and
reaſurer of the weſtern ſhore ſhall finally aſcertain the value of ſuch land and improvements,
hall receive the money therefor from the party.

AND, whereas the agent for the late proprietary received the caution money due on certificates
the year one thouſand ſeven hundred and ſeventy-ſeven, and in many caſes the time for pay-
had elapſed long before, and applications have been made for warrants on the proclamation;
T ENACTED, That where any application has been made to affect and ſecure any vacant land in- Former applications to be regarded, &c.
d in any certificate, where the caution money was not paid within the time limitted, and the
expired on or before the firſt of May, ſeventeen hundred and ſeventy-five, ſuch application ſhall
garded, and warrants ſhall iſſue to the party applying, provided he ſhall require a warrant on or
e the firſt day of July next.

I. AND BE IT ENACTED, That grants ſhall iſſue on all certificates on which the caution money Grants to iſſue, &c.
een paid, on the application of the owners of ſuch certificates, unleſs grants have heretofore
erly iſſued for the ſame lands to other perſons, or unleſs the chancellor, on hearing, ſhall other-
direct.

II. AND, whereas land originally included by the courſes and diſtances expreſſed in the certifi-
of lands heretofore granted, which is now excluded by the variation of the compaſs, ought not
taken from the perſon claiming under ſuch ſurvey and grant, and attempts may be made to take

up

CHAP. XX.

Original grants not to be affected, &c.

up ſuch land as vacancy, contrary to juſtice; BE IT ENACTED, That no grant ſhall iſſue, un the perſon holding under the grant originally including the land as aforeſaid, upon any warrant after to be taken out, or already taken out, upon which patent hath not iſſued, to affect any which the chancellor, on caveat, may adjudge to have been included by the courſes of ſuch o grant, and ſince excluded by the variation of the compaſs; and the chancellor ſhall and may, o adjudication, or on the certificate of the party claiming under ſuch original grant, order a pat iſſue for confirming to the perſon claiming under ſuch grant the lands which ſhall be determi have been originally included by the courſes therein expreſſed; and the perſon to whom pat confirmation ſhall be ordered to iſſue as aforeſaid, ſhall not be obliged to pay any money for th ſo ordered to be confirmed to him, or the value of any improvements on ſuch land; and no ſhall iſſue upon any certificate of ſurvey heretofore returned, or hereafter to be returned, unleſ proof made of notice (a) having been given by the party applying for ſuch patent to the per perſons whoſe land may be affected by ſuch ſurvey, or to his or their attorney, agent, guard next friend, which proof of notice ſhall be made by affidavit, or affirmation, of a diſintereſte ſon, before a judge of the general court, or ſome juſtice of the county where ſuch land may li ſhall be lodged with the regiſter of the ſhore on which ſuch land ſhall lie, and by him ſhall be fied to the chancellor.

(a) By April, 1782, ch. 38, certificates or warrants before the firſt of March, 1777, were to lie in the offiſe three mo ter the firſt of July then next, and certificates and warrants under this act, or thereafter to be granted, were to lie in the months after being compounded on, after which times reſpectively grants were to iſſue without notice as required by this

Proviſo.

XIII. PROVIDED ALWAYS, That if the chancellor ſhall be of opinion, that the land clai vacancy was not originally included, and ſhall order grant for the ſame, the perſon claiming ſuch original patent ſhall have a right to controvert, by trial at law, whether the ſame land, part thereof, was originally included in the certificate on which the original grant did iſſue, a opinion of the chancellor ſhall have no influence on the queſtion before a jury, but the matte remain in the ſame manner as if no determination of the chancellor had been given.

Boundaries may be erected, &c.

XIV. AND, whereas the allowing natural or artificial boundaries to be expreſſed in certi may prevent injury from the variation of the compaſs, BE IT ENACTED, That the ſurveyor m ſert in any certificate any boundary, artificial or natural, as being at the end of the diſtance exp provided he ſhall actually meaſure ſuch diſtance; and in caſe the length of the line expreſſed certificate ſhall not reach the boundary, and the line ſhall not have been actually run, on againſt grant iſſuing on ſuch ſurvey, the ſame ſhall be void, ſo far as that the land which is ex by running from the end of the courſe and diſtance to the end of the next courſe and diſtance, the next boundary, if any, ſhall be liable to be affected as vacancy; *and before any grant ſhall any certificate expreſſing more than one boundary for the beginning, the owner ſhall make oath or affirmat the caſe may be,) that he knows or believes, that the diſtances mentioned in the certificate were actually r that no more land is contained by the lines and boundaries than returned by the ſurveyor*; and every ſur before he enters on the execution of his office, ſhall ſwear, (or affirm,) that he will not menti boundary in his certificate of any ſurvey, unleſs he ſhall actually run and meaſure the diſta ſuch boundary, and that the boundary or boundaries by him returned ſhall be at the end of t as expreſſed, and that the certificate does not contain more land than certified by him, to the his knowledge and belief.

The part of this ſection printed in italic was repealed by November, 1787, ch. 3.

Liſt to be made out, &c.

XV. AND BE IT ENACTED, That the regiſter of the land-office for the weſtern ſhore, an on or before the firſt day of October, make out and tranſmit to the commiſſioners of the tax ſeveral counties, a liſt of all grants, the name of the grantees and land, and the quantity of and the date of the certificate and grant.

The proviſion in this ſection appears to be altered by 1797, ch. 89, ſections 37 and 39, which direct, that the regiſ annually, between the firſt of January and the firſt of March, make out, for the commiſſioners of the tax, a liſt of a cates which have become ready for patent, &c. and ſhall forward them as public letters.

Certain land not to be taken up, &c.

XVI. AND BE IT ENACTED, That no land adjoining to the land lately belonging to the Pr company, or the Nottingham company, ſhall be taken up as vacancy, or affected by any warr be taken out; and if any warrant has been taken out, or certificate returned, to affect ſuch l patent ſhall iſſue thereon, but ſuch vacancies, if any, adjoining to, or in any manner inte with, the land formerly belonging to the ſaid companies, or either of them, ſhall he reſerved ſtate, ſurveyed, and ſold for the purpoſes to which the property of the ſaid companies are reſp ly applied.

XVI

VII. AND BE IT ENACTED, That ſo much of the act, (a) entitled, An act to procure a loan, ... the ſale of eſcheat lands and the confiſcated Britiſh property therein mentioned, as authoriſed ...miſſioners appointed to preſerve confiſcated Britiſh property to grant warrants, and to con... the ſale of eſcheat lands, ſhall be and is hereby repealed. CHAP. XX. Part of an act repealed.

(a) October, 1780, ch. 51.

CHAP. XXI.

...CT for the relief of Patrick Hamilton, John Page, Clement Beall, Thomas Williams, Benja... Cawood and Joſeph Baxter, and the ſeveral collectors of the tax. Lib. TBH. No. A. fol. ... A Private Act. Paſſed 22d of Jan. 1782.

CHAP. XXII.

ACT to regulate public ferries. Lib. TBH. No. A. fol. 113.

Supplements April, 1782, ch. 31, November, 1788, ch. 33, 1791, ch. 65.

...IT ENACTED, *by the General Aſſembly of Maryland*, That the juſtices of the ſeveral county courts ...e authoriſed and required, at their reſpective March courts, during the continuance of this act, ...nt their licence to any inhabitant of their county to keep a public ferry, at any place within ...county now uſed as ſuch, if the ſaid juſtices ſhall think that a public ferry ought there to be ...nd eſtabliſhed, and from ſuch place to any other county, or from this to any other ſtate; and ...licence ſhall be renewed at every March court during the continuance of this act; and the ſaid ... may, at any other court than March court, grant licence to any perſon not before licenſed, ...tinue until the next March court thereafter; and if any perſon, after the firſt day of April ...ſhall preſume to keep ferry, for hire or reward, without obtaining licence agreeable to this act, ...erſon ſhall forfeit five pounds current money for every offence. Juſtices to grant licences, &c.

...April, 1782, ch. 31, any two juſtices of the peace may, on application, grant licence to a perſon to keep ſuch ferry till ...ſing of the court, taking his recognizance, &c. as directed by this act; and by the ſame act the court may grant licence ...ſame place where it may have been granted to others, on application, with two ſufficient ſecurities.

...AND BE IT ENACTED, That the juſtices of the ſeveral county courts ſhall, at their reſpective ... courts, (or oftener if they think proper,) aſcertain in current money the price of ferriage for ...gers and horſes, and the ſeveral kinds of carriages (not allowing any thing for the baggage of ...gers,) at every ferry by them licenſed; and the ſaid juſtices ſhall direct how many and what kind ...ts ſhall be kept, and what number of able bodied and ſkilful hands ſhall be employed in the ...at every ferry by them licenſed, and the ſame ſhall be expreſſed in the licence; and every per...ping a public ferry ſhall keep, conſtantly ſet up in the moſt public part of his houſe, a copy ...licence, and the prices allowed him for ferriage, under the penalty of five pounds current mo... every day ſuch copy ſhall not be ſet up as required by this act; and if any licenſed ferry... ſhall aſk or receive, directly or indirectly, more than the price allowed for ferriage, he ſhall, ...ery demand or receipt, forfeit twenty ſhillings current money; and every perſon, on obtaining ..., ſhall enter into recognizance, in the ſum of fifty pounds current money, with two ſufficient ..., conditioned, that he will faithfully and diligently keep the ferry, for which he ſhall obtain ..., with ſuch boats and hands as the juſtices granting the licence ſhall direct, from daylight to ...ht from the firſt of November to the firſt of March, and from an hour before to an hour after ...ht for the reſidue of the year, and that he will not charge or receive any greater price for ... than allowed by law; and every ferry-keeper ſhall pay to the clerk of the court for taking ...recognizance, and making out his licence and a fair copy of the rates of ferriage, the ſum of ...llings current money. To aſcertain the price of ferriage, &c.

...November, 1788, ch. 33, every perſon licenſed to keep ferry acroſs Cheſapeake bay, ſhall keep a good anchor and cable, ... yawl with oars, and alſo hatches, and a ſubſtantial pair of oars and ſetting poles, under the penalty of £. 10, to be re... before a ſingle magiſtrate of either ſhore.

...AND BE IT ENACTED, If the proprietor of any place now uſed as a public ferry, and which ...ſices of the county ſhall think proper to be continued, ſhall neglect to take out licence agree... this act, or to rent ſuch ferry, with the houſes and land heretofore commonly uſed with, or ...ry for, ſuch ferry, to ſuch perſon as the ſaid juſtices ſhall approve, or be under any diſability ...e out licence or to rent as aforeſaid, that in ſuch caſe the ſaid juſtices ſhall iſſue their warrant ...heriff of their county, to ſummon twelve reputable perſons, qualified by law to be jurymen, ... on the premiſes, on a day to be appointed, to eſtimate, on oath, in current money, the an...alue of the land, not exceeding three acres, or including the dwelling-houſe or garden, orchard ...dow, more than ſufficient for a road, of the owner or poſſeſſor, neceſſary, and moſt convenient ...r judgment for the uſe of ſuch ferry; and the ſheriff ſhall make return of the inqueſt, together ... May cauſe land to be valued, &c.

CHAP. XXII.

with a certificate of ſurvey of the ſaid land by the ſurveyor of the county, to the next court who ſhall cauſe the ſame to be entered on their records, and may agree with any perſon to repair, at the expence of the county, buildings neceſſary for carrying on ſuch ferry; and valued by the jury, and the buildings thereon, ſhall become the property of the county for ev ſhall be annually rented out to ſuch perſon as the ſaid county court may think proper to li keep ferry at ſuch place; and the court ſhall yearly pay to the proprietor of the land, his hei cutors, adminiſtrators or aſſigns, the annual value or rent eſtimated by the jury as aforeſaid; ſaid court ſhall aſſeſs the ſame, and the expence of erecting or repairing buildings as aforeſaid the property in their county, in the ſame manner as other county charges are aſſeſſed by law.

In caſe of death may permit others, &c.

IV. AND BE IT ENACTED, If any ferry-keeper ſhall die between the ſetting of the count that any two juſtices may, in their diſcretion, permit any inhabitant of their county to keep t until the next court, who may appoint ſuch perſon for the reſidue of the year; and the pe taining ſuch permit ſhall enter into recognizance before the two juſtices, ſimilar to the recog herein before directed to be taken by the court.

Not to prohibit courts from agreeing, &c.

V. AND BE IT ENACTED, That nothing in this act contained ſhall extend, or be conſtrue tend, to prohibit the county courts, as heretofore practiſed, from agreeing with perſons ferries, but in ſuch caſe they ſhall take recognizance, and aſcertain the prices to be take perſon keeping ſuch ferry, in the ſame manner as herein before directed.

By 1791, ch. 65, the county courts have power to contract for keeping ferries at the county expence.

Duration.

VI. This act to continue in force for three years, and until the end of the next ſeſſion of a which ſhall happen after the expiration of the ſaid three years.

Continued by 1784, ch. 83, until the end of the next ſeſſion, by 1785, ch. 77, for ſeven years, &c. by November, 179 to 30th October, 1793, &c. by 1793, ch. 74, to 30th October, 1794, &c. by 1794, ch. 71, to 30th January, 1798. Revived and continued (except where altered by other acts,) by 1798, ch. 10, to the end of the ſeſſion, and all acts d it confirmed, and by 1798, ch. 71, to 30th October, 1805, &c.

CHAP. XXIII.

Paſſed 22d of Jan. 1782.

An ACT relating to forfeited recognizances, judgments in treaſon, and fines impoſed by courts-martial. Lib. TBH. No. A. fol. 115.

To continue until the end of the next ſeſſion. Expired.

CHAP. XXIV.

An ACT for an addition to Baltimore-town, in Baltimore co Lib. TBH. No. A. fol. 116.

Preamble.

WHEREAS John Moale and Andrew Stigar, of Baltimore-town, by their humble pet this general aſſembly, have ſet forth, that the ſaid John Moale is ſeized in fee-ſimple of land lying contiguous to the ſaid town, and bounded in the following manner: Beginnin eaſt corner of the lot of land number ſixty-five, on Bridge-ſtreet, in the firſt addition to Ba town, on the eaſt ſide of Jones's falls, and running thence north forty-nine degrees eaſt perches, north forty-one degrees weſt fifty-two perches, ſouth fifty-eight degrees weſt twenty and the fourth part of a perch, unto the north corner of the lot of land number ſeventy-on aforeſaid addition to Baltimore-town, and then bounding on and with the ſaid addition unto th of beginning, containing ſix acres and one hundred and ten ſquare perches more or leſs; t ſaid Andrew Stigar is ſeized in fee-ſimple of a lot or parcel of land adjacent to the ſaid lot of the ſaid John Moale, and bounded as follows: Beginning at the end of the line north for degrees eaſt twenty perches of the ſaid John Moale's lot, and running from thence north tw degrees and forty-five minutes eaſt ſixty-eight perches, ſouth ſeventy-ſeven degrees weſt thir perches and the fourth part of a perch, ſouth ſixty-three degrees weſt twenty-nine perches a of a perch, unto the end of the line north forty-one degrees weſt fifty-two perches of the fa Moale's lot aforeſaid, and then bounding on the line reverſe of the ſame unto the laſt aforeſai of beginning, containing eleven acres and fifty-ſix ſquare perches more or leſs: They alſo fur forth, that at a ſeſſion of aſſembly begun and held at the city of Annapolis, on Tueſday the fi day of November, ſeventeen hundred and ſeventy-three, an act was made for the purpoſe of ing ſaid land to the aforeſaid town; that the commiſſioners of ſaid town did not comply with rections and requiſitions in ſaid act, whereby the ſame became null and void; that they were of annexing the ſaid parcel of land to the ſaid town, and therefore prayed that a law might that purpoſe; and it appearing to this general aſſembly that to extend the limits of ſaid tow contribute to promote the trade and commerce thereof,

BE IT THEREFORE ENACTED, *by the General Assembly of Maryland*, That the commissioners of ...re-town, or the major part of them, do, and they are hereby directed and required, at any ...fore the first day of July next, to cause the aforesaid parcel of land to be surveyed, and laid ...lots, streets, lanes and alleys, at the proper costs and expences of the said John Moale and ...Stigar, according to their respective number of acres, in such manner as to the said com... or the major part of them, shall seem convenient; and that when the same shall be done, ...parcel of land shall be, and is hereby declared to be, part of Baltimore-town aforesaid, to ...nts and purposes, as fully and amply as if originally included therein, and have the same im...s and privileges as the said town, by any law or laws heretofore made, ought to have. CHAP. XXIV. Land to be surveyed, &c.

AND BE IT ENACTED, That the commissioners aforesaid shall, on or before the first day of ...ber next, cause their proceedings to be recorded among the records of said town, there to ...as evidence of the boundaries, situation and location, of said lots, and of the streets, lanes ...eys, aforesaid. Proceedings to be recorded, &c.

AND, whereas William Fell, of Baltimore-town, by his humble petition to this general assem...th set forth, that he is seized and possessed of great part of a tract of land called Fell's Pros...art of which hath been heretofore laid out into lots, and annexed to Baltimore-town, which ...s have been built upon and considerably improved, and that it would greatly tend to the ad...e of the said town, in case the remaining part of the said tract of land was laid out into con...streets, lanes and alleys, and therefore prayed a law might pass for that purpose; and it ap...to this general assembly, that to extend the limits of the said town would contribute to pro...e trade and commerce thereof; BE IT ENACTED, That the commissioners of Baltimore-town, ...major part of them, be authorised and required, at any time before the first day of May next, ...e the aforesaid tract of land, or such part thereof as they may think necessary (not already ...rated and made part of the town aforesaid,) to be surveyed, and laid out into lots, streets, ...and alleys, at the proper cost and expence of the said William Fell, in such manner as to the ...missioners, or a major part of them, shall seem convenient. Fell's Prospect to be surveyed, &c.

AND BE IT ENACTED, That the commissioners aforesaid, or a major part of them, shall, on or ...the said first day of May, cause a correct and accurate survey and plot to be made of the said ...and of all the lots, streets, lanes and alleys, which are now laid out on the same, and which ...laid out in virtue of this act; and the said plot shall be recorded amongst the records of the ...wn, as soon as conveniently may be thereafter, there to remain as evidence of the boundaries, ...n and location, of the said lots, and of the streets, lanes and alleys; which said streets, lanes ...eys, hereafter to be laid out in pursuance of this act, shall be highways, and be so deemed and ...to all intents and purposes whatever; and when the same shall be done, the said land, so sur...and laid out, shall be, and is hereby declared to be, part of Baltimore-town, as fully and ...as if included originally therein, and shall have the same immunities and privileges as the rest ...said town has, or by former laws ought to have, saving to the state of Maryland, and all ...political and corporate, and all persons not mentioned in this act, their several and respective A plot to be made, &c.

CHAP. XXV.

...CT for the relief of Martin Bulger, a languishing prisoner in Baltimore county gaol. Lib. ...H, No. A. fol. 118. A Private Act. Passed 22d of Jan. 1782.

CHAP. XXVI.

...dditional supplement to an act (a) to settle and adjust the accounts ...the troops of this state in the service of the United States, and ...other purposes therein mentioned. Lib. TBH. No. A. fol. 119.

(a) October, 1780, ch. 38.

...HEREAS the general assembly, by two acts, the one passed in October, seventeen hundred ...and eighty, * the other in May, seventeen hundred and eighty-one, † did establish a general ...by which justice was intended to be done to the officers and soldiers of the Maryland line; ...being the wish and intention of this assembly to make an equitable compensation to all officers ...iers belonging to this state, who have served and adhered to the cause of America: And ..., by omission, sundry officers and soldiers, who have deserved well from this state, could not, ...e to the said laws, receive certificates for the depreciation of their pay; Preamble. * Chapter 38. † Chapter 35.

CHAP. XXVI.

Commiſſioner to ſettle with the invalid corps.

II. BE IT THEREFORE ENACTED, *by the General Aſſembly of Maryland*, That the commi appointed to ſettle and adjuſt the accounts of the officers and ſoldiers of this ſtate, be authoriſ directed to ſettle and adjuſt the accounts of the officers and ſoldiers of the invalid corps, wh raiſed from citizens of, or properly belonging to, this ſtate, upon the certificate of the comm officers, and to grant certificates for the amount thereof, in the ſame manner, and upon th principles, as officers and ſoldiers of the Maryland line were ſettled with agreeable to the acts ſaid.

With repreſentatives of perſons dead.

III. AND BE IT ENACTED, That the commiſſioner ſhall in like manner ſettle and adjuſt t and accounts of all officers and ſoldiers, who were of this ſtate and in the ſervice of the States, who have fallen in battle or died, and grant certificates for the amount thereof to th viſees or legal repreſentatives, or to ſuch perſon or perſons as they may have directed to rece ſame.

With ſtate troops.

IV. AND, whereas troops have been raiſed in this ſtate in the beginning of the war, wh afterwards turned over to the continental eſtabliſhment, and the commiſſioner being doubtful w they were entitled to the depreciation of their pay while in the particular ſervice of this ſta IT THEREFORE ENACTED, That the commiſſioner be authoriſed and directed to ſettle with, an certificates to, ſuch officers and ſoldiers, for the depreciation of their pay, while in the par ſervice of this ſtate, in the ſame manner, and upon the ſame principles, as if they had been continental eſtabliſhment.

With colonel Rawlings.

V. AND BE IT ENACTED, That the commiſſioner, in like manner, be authoriſed and dire ſettle with, and grant certificates to, lieutenant-colonel Moſes Rawlings, for the amount of t preciation of his pay from the firſt day of January, ſeventeen hundred and ſeventy-ſeven, t ſecond day of June, ſeventeen hundred and ſeventy-nine.

Certificate to be granted to col. Marbury.

VI. AND BE IT ENACTED, That the governor and council be requeſted to direct the treaſu the weſtern ſhore to grant his certificate to colonel Luke Marbury, for the depreciation of counts and pay, amounting to the ſum of twelve hundred and fifty-eight pounds four shillin three-pence current money, agreeable to the act of laſt ſeſſion to adjuſt the debts due from thi

Commiſſioner to ſettle with capt. Wright.

VII. AND BE IT ENACTED, That the commiſſioner aforeſaid ſhall ſettle the account of capta muel Turbutt Wright, late of the ſecond Maryland regiment, from the firſt of January, ſeve hundred and ſeventy-ſeven, till the thirtieth of May, ſeventeen hundred and ſeventy-eigh grant his certificates for the amount thereof.

Certificates to be granted to capt. Read, &c.

VIII. AND BE IT ENACTED, That the governor and council be requeſted to direct the tre to grant his certificates to captain John Read, and to the officers and men of his company, depreciation of their pay, as ſettled with the auditor-general, to the firſt day of Auguſt, ſeve hundred and eighty, agreeable to the act of laſt ſeſſion of aſſembly, to adjuſt the debts due fro ſtate; and it is hereby declared to be the intent and meaning of this act, that the officers and ſo receiving certificates from the commiſſioner as aforeſaid, ſhall deſire ſimilar benefits from the and be conſidered, in this requeſt, in ſimilar predicament with other officers, heretofore ſettle agreeable to the acts for ſettling and adjuſting the accounts of the troops of this ſtate in the ſe of the United States; and that captain John Read, and the officers and ſoldiers in his company colonel Luke Marbury, when ſettled with, and having received certificates from the treaſurer, derive ſimilar benefits, and be, in this reſpect, in ſimilar predicament with other public cred heretofore ſettled with agreeable to the act to adjuſt the debts due from this ſtate, paſſed laſt ſe

Officers diſabled entitled, &c.

IX. AND BE IT FURTHER ENACTED, That any officer, of the quota of this ſtate in the troops United States, who hath been, or may hereafter be, diſabled, by loſs of limb, or any other w from performing his military duty, and hath or ſhall reſign his commiſſion in the continental before the end of the war, ſhall be entitled, from the time of his reſignation, to half pay, a widow after his death, as if the ſaid officer had continued in the ſervice during the war.

CHAP. XXVII.

Paſſed 22d of Jan. 1782.

An ACT to appoint an intendant of the revenue, and all public monies. Lib. TBH. No. A 121.

For one year, to commence on the firſt of February then next.

CH

CHAP. XXVIII.

AN ACT to raiſe recruits. Lib. TBH. No. A. fol. 125.

Paſſed 22d of Jan. 1782.

WHEREAS there is now a deficiency in the line of this ſtate in the continental army, and this general aſſembly are deſirous to keep up the juſt proportion of troops for this ſtate; Preamble.

I. BE IT ENACTED, *by the General Aſſembly of Maryland*, That twenty thouſand pounds current money be raiſed and appropriated to procure recruits, by voluntary enliſtment, for three years or during the war. Money to be raiſed, &c.

II. AND, to raiſe the ſaid ſum of twenty thouſand pounds current money, BE IT ENACTED, That the commiſſioners to preſerve confiſcated Britiſh property ſhall, after giving five weeks notice in the Maryland Gazette, the Baltimore Journal and Pennſylvania Gazette, ſell at vendue the following property, lately belonging to perſons known to this aſſembly to be Britiſh ſubjects, and therefore confiſcated, or otherwiſe veſted in this ſtate, viz. All thoſe houſes and lots in Port-Tobacco, in Charles county, late the property of John and James Jamieſon, or either of them, or Jamieſon and company; a tract of land lying in Charles county, called Simpſon's Delight, containing about two hundred and forty acres clear of other lands, lately claimed by a certain Sherborne Stewart, and which is either confiſcated property or eſcheat land; the property of Lloyd Dulany; the property of Alexander Hamilton, in Dorcheſter county, reſerving the property acquired by his marriage with Miſs Murray, ſubject to the direction of the general aſſembly; the property of the heirs of Anthony Richardſon and Samuel Gale, in Talbot county; the property of Thomas Philpot, Philip Key, James Somerville, Henry Riddle, and Dunlap and ſon, Daniel Stevenſon; provided, that if any of the ſaid perſons left this ſtate before the formation of the new government ſhall come into this ſtate before the firſt day of March next, and ſhall take his trial for any crimes committed againſt this ſtate, or any act which may prove his election to become a Britiſh ſubject, or to adhere to the king of Great-Britain, then this legiſlature doth engage, that the ſtate will repay the value of the property ſold by virtue of this act to the perſon from whom taken, and who ſhall return and acquit himſelf aforeſaid; provided alſo, that the ſaid commiſſioners ſhall immediately publiſh for all creditors of the ſaid perſons to deliver in their claims before the day of ſale, and ſhall reſerve ſo much of the property as will fully diſcharge any debts due, and if ſufficient ſhould not be reſerved, the ſtate will after ſatisfy the debts to the amount of the value of the property ſold. Property to be ſold, &c.

III. AND BE IT ENACTED, That if any citizen of this, or any of the United States, having title to any land or property by this act directed to be ſold, ſhall put in his claim and ſhew his title to the ſame before or at the day of ſale, and the commiſſioners ſhall think ſuch title and claim well founded, if any citizen of this, or any of the United States, hath a veſted eſtate tail in any of the ſaid lands or property, and ſhall, on or before the day of ſale, make known ſuch claim of eſtate in tail, or title thereto, and the commiſſioners ſhall think they are well founded, the ſaid commiſſioners ſhall and may ſuſpend the ſale of ſuch property ſo claimed until the next ſeſſion of the general aſſembly; which ſales ſhall be made upon the following terms: That the purchaſer ſhall, on the day of ſale, enter into bond, with good and ſufficient ſecurity, to this ſtate, in double the ſum bid for ſuch property, conditioned for the payment of one third of the purchaſe money, in gold or ſilver, to the ſaid commiſſioners, or to the honourable major-general Smallwood, or his order, within ten days from the day of ſuch purchaſe, and of one third of the ſaid purchaſe money, to the perſons aforeſaid, on or before the tenth day of March next, and the remaining third into the treaſury of the weſtern ſhore, on or before the tenth day of September next, or the purchaſer may pay the whole or any part of the purchaſe money to the commiſſioner or commiſſioners attending the ſale; and if any purchaſer ſhall neglect to enter into bond as aforeſaid, or having entered into ſuch bond ſhall neglect to make the firſt payment agreeable to the condition of the ſaid bond, or ſhall neglect to make the ſecond payment agreeable to the condition of ſuch bond, the ſale ſhall be void, and the money, if any, paid by ſuch purchaſer, ſhall be forfeited to this ſtate; and the commiſſioners aforeſaid ſhall again ſell the property upon the terms of this act; and upon payment of two thirds of the money firſt due as aforeſaid, agreeable to the condition of the bond aforeſaid, the commiſſioners aforeſaid ſhall and may give to ſuch purchaſer a deed for the property purchaſed, and ſhall deliver him poſſeſſion thereof, but if the purchaſer ſhall neglect to make the third payment agreeable to the condition of ſuch bond, he ſhall be liable to pay twenty *per cent.* intereſt on the ſum by him due; and the treaſurer of the weſtern ſhore may and ſhall, upon the day of payment being elapſed, put the bond in ſuit againſt principal and ſecurities, for the recovery of the ſum due thereon and the intereſt aforeſaid; and the property purchaſed, in whoſever hands or poſſeſſion it may be, ſhall be liable to be taken by *fieri facias* to diſcharge any payment upon ſuch bond. Sale may be ſuſpended, &c.

V. AND

CHAP. XXVIII.

Bonds to be lodged, &c.

V. AND BE IT ENACTED, That all bonds taken in virtue of this act ſhall be lodged with th ſurer of the weſtern ſhore, and that gold and ſilver only be received in diſcharge of the ſam that all money received by the commiſſioners aforeſaid, in conſequence of ſales made, ſhall b to major-general Smallwood; and any purchaſer may, after bond given as aforeſaid, pay the of the money by him due to major-general Smallwood, or his order; and if the third part purchaſe money, made payable into the treaſury, ſhould be paid before the firſt day of May the ſame ſhall be by the treaſurer paid and delivered to general Smallwood.

Property not to be ſold, &c.

VI. AND BE IT ENACTED, That no property ſhall be ſold by the ſaid commiſſioners for le the ſame was valued at in the laſt aſſeſſment.

Purchaſers to pay the commiſſion, &c.

VII. AND BE IT ENACTED, That the ſaid commiſſioners ſhall, as ſoon as may be, call on a ſons who entered into agreements with the late proprietary, or his commiſſioners, for the pu of manor lands, and who have not paid the money by them agreed to be paid for ſuch lands, the money due upon ſuch agreements, and, upon payment of ſuch money, the ſaid commiſſione preſerving confiſcated Britiſh property ſhall and may releaſe and convey the right of this ſtate ſaid lands to the perſon or perſons contracting for the purchaſe of the ſame, or thoſe who cla der them, which money, if received before the firſt day of June next, ſhall be paid to major-g Smallwood.

Interfering land to be releaſed, &c.

VIII. AND BE IT ENACTED, That if any of the ſaid tracts of land by this act directed to b ſhould run into any adjoining land, *bonâ fide* purchaſed, poſſeſſed and held, by any citizen of this before the year ſeventeen hundred and ſeventy-four, and ſtill held and poſſeſſed as aforeſaid, ſu terfering part of ſuch land ſhall not be affected by the ſales to be made as aforeſaid by the co ſioners, but the commiſſioners ſhall and may, on their knowing or being informed of ſuch interfe as ſoon as may be after the ſales aforeſaid, adjuſt and ſettle the land ſo interfering, and ſha may, after ſuch adjuſtment, at the requeſt of ſuch poſſeſſor, releaſe the right of this ſtate in ſu terfering parts of land to the poſſeſſor, as aforeſaid, upon his paying, or giving bond agreea the terms of this act to pay ſuch price for the ſaid interfering land as the ſaid commiſſioners think juſt and reaſonable, rating ſuch lands by the price of the adjoining land ſold, or high lower, according to the quality thereof.

Money to be paid, &c.

IX. AND BE IT ENACTED, That all money received into the treaſury for vacant or eſcheat before the firſt day of May next, ſhall be by the treaſurer, as the ſame is received, paid to general Smallwood, or his order.

Governor, &c. may ſell tobacco, &c.

X. AND BE IT ENACTED, That the governor and council are authoriſed and requeſted to ſe quantity of tobacco, not exceeding one thouſand hogſheads, for gold and ſilver, which may be ſary to make up any deficiency in other means to procure the ſum by this act appropriated to th cruiting ſervice, and to equip ſuch recruits as may be raiſed.

Money to be received, &c.

XI. AND BE IT ENACTED, That a ſum not exceeding twenty thouſand pounds current m raiſed by means aforeſaid, be received by major-general Smallwood, or ſuch perſon or perſons ſhall appoint, to be by him or them applied to raiſing recruits aforeſaid, in ſuch manner as he o ſhall judge beſt for the ſervice, and agreeable to ſuch inſtructions as he may receive from the g aſſembly, and an account of the receipts and expenditures of ſuch money ſhall be by the ſaid general Smallwood laid before the next ſeſſion of the general aſſembly.

Governor, &c. to apply for cloathing, &c.

XII. AND, this general aſſembly being informed, that a large quantity of cloathing is impor purchaſed by congreſs for the uſe of the army, and there being a large number of arms due t ſtate from the congreſs, BE IT ENACTED, That the governor and council be requeſted to app mediately to congreſs for two thouſand five hundred ſuits of cloaths for the uſe of the quota of of this ſtate now in the field, and for cloathing the recruits procured under this act, and alſo congreſs of the number of arms due to this ſtate, and to apply to them for three thouſand ſt arms for the uſe of this ſtate.

Liſts to be tranſmitted, &c.

XIII. WHEREAS many perſons draughted to ſerve nine months, agreeable to the act to ra cruits, and the act to raiſe two battalions of militia for reinforcing the continental army, complete the number of ſelect militia, have neither rendered their perſonal ſervice, or obtaine ſtitutes, or been diſcharged by the lieutenants according to the ſaid acts, BE IT ENACTED, Th lieutenants of the ſeveral counties be requeſted to tranſmit to major-general Smallwood, on or

ſt day of March next, as perfect a liſt as they can of all perſons in the county draughted in of either of the ſaid acts, and not by ſuch lieutenants diſcharged according to law.

Draughts may be compelled to ſerve, &c.

V. AND BE IT ENACTED, That general Smallwood be authoriſed to compel the ſaid draughts, ave not been diſcharged by the lieutenants as aforeſaid, or have not found ſubſtitutes, to ſerve e reſpective times for which they were draughted, unleſs they find effective ſubſtitutes to ſerve long a time as the ſaid draughts reſpectively were obliged to ſerve by the ſaid act, to be ap- d of and accepted by him, and he may receive from any draught as much money as will procure uit, or in his diſcretion receive a leſs ſum, as a compoſition, according to the circumſtances of erſon, or he may diſcharge any draught from ſuch ſervice or compoſition, and any money re- d by major-general Smallwood from ſuch draughts ſhall be by him applied to the recruiting ſer- and accounted for as aforeſaid.

CHAP. XXIX.

CT to ſettle and pay the civil liſt, and the other expences of civil government. Lib. TBH. A. fol. 128. Paſſed 22d of Jan. 1782.

CHAP. XXX.

CT for the payment of the journal of accounts. Lib. TBH. No. A. fol. 129.

CHAP. XXXI.

ACT for the ſale of certain confiſcated Britiſh property pledged or the redemption of certificates. Lib. TBH. No. A. fol. 130.

Preamble.

HEREAS by the act to ſettle and adjuſt the accounts of the troops of this ſtate in the ſervice of the United States, and for other purpoſes therein mentioned, the lands commonly called t's, or New Connought Manor, in Cæcil county, My Lady's Manor, in Baltimore, or Balti- and Harford counties, and Monococy Manor, in Frederick county, are charged with the pay- of the certificates granted agreeably to the ſaid act, and the legiſlature engaged that the ſaid ſhould be ſold for the payment of the certificates granted under the ſaid act, and intereſt there- nd this general aſſembly being deſirous to ſell part of the ſaid lands,

Lands to be ſold, &c.

BE IT ENACTED, *by the General Aſſembly of Maryland*, That the commiſſioners to preſerve con- d Britiſh property ſhall and they are hereby directed to lay off My Lady's manor, in Baltimore, ltimore and Harford counties, and Monococy manor, in Frederick county, in convenient lots, g regard to the poſſeſſions of the preſent tenants thereon, and the ſame to ſell at public ſale, ecie, on or before the firſt day of July next, firſt giving eight weeks notice in the Annapolis and nore news-papers, and Pennſylvania Gazette, and ſending notice of ſuch ſales, and the reſpec- imes thereof, to the officers and ſoldiers of the Maryland line with the ſouthern army.

Certificates to be taken in payment, &c.

AND BE IT ENACTED, That certificates granted to officers and ſoldiers agreeably to the ſaid nd other acts and reſolves ſince paſſed, and which now are in the hands of the perſons to whom d, or the legal repreſentatives of ſuch as have died, and certificates hereafter to be granted to s and ſoldiers agreeable to law, ſhall be received as ſpecie in payment for the ſaid lands; and tificate heretofore aſſigned or transferred ſhall be received in payment for any of the ſaid lands.

Purchaſers to give bond, &c.

AND BE IT ENACTED, That every purchaſer ſhall, within twelve hours after the ſale, enter ond, with good ſecurity, in double the ſum of the purchaſe money, payable to this ſtate, con- ed for the payment of one ſeventh part of the purchaſe money, in ſpecie or the certificates aid, within three months after ſuch purchaſe, and for the payment of one ſeventh part of the aſe money, with intereſt, in ſpecie or certificates aforeſaid, annually, until the whole is diſ- d; which bonds ſhall be lodged with the treaſurer of the weſtern ſhore, and upon default of ent at any day or time mentioned in the condition of ſuch bond, the treaſurer aforeſaid ſhall a copy of ſuch bond, atteſted by him, with the clerk of the general court, upon which ſhall be ed the ſum due; and the clerk of the general court ſhall thereupon iſſue execution for the ſum and coſts, againſt the body, or the goods and chattels, lands and tenements, of the obligors in ond, and ſpecie, or certificates made payable by this act, ſhall be received in diſcharge of ſuch ion; and ſo, upon every default of payment, execution ſhall be iſſued as aforeſaid, until the ſum in the condition of ſuch bond mentioned is paid.

May pay the purchaſe money, &c.

AND BE IT ENACTED, That any purchaſer may, before he enters into bond as aforeſaid, pay urchaſe money, or any part thereof, in ſpecie, or certificates as aforeſaid, to the commiſſioners; and

CHAP. XXXI.

and no conveyance ſhall be given for any land purchaſed until the whole of the purchaſe mo paid, but poſſeſſion ſhall be given to the purchaſer on his entering into bond as aforeſaid.

Tenants allowed a deduction, &c.

VI. AND BE IT ENACTED, That if any tenant or ſettler on any part of the ſaid land ſhall b *bonâ fide* a purchaſer, for his own life, of the land by him occupied, or any part thereof, ther be a deduction of ten *per cent.* from the purchaſe money in favour of ſuch tenant or ſettler, a bonds taken conformably thereto.

Their rights reſerved.

VII. AND BE IT ENACTED, That in all ſales, the rights of the preſent tenants holding leaſes ſhall be reſerved.

Treaſurer to keep an account, &c.

VIII. AND BE IT ENACTED, That the treaſurer of the weſtern ſhore ſhall keep a particular ac of all certificates and monies paid in for the lands aforeſaid, and ſuch money ſhall be reſerve ſet apart for the payment of the ſaid certificates, as aforeſaid, rateably, as the money come the treaſury; and any officer or ſoldier holding any certificate as aforeſaid, may, upon applicat the treaſurer of the weſtern ſhore, have and receive an aſſignment of any bond at the rate afo given upon the ſales aforeſaid, to the amount of the certificate by him poſſeſſed, and intereſt th due, and ſuch certificate ſhall be delivered to the treaſurer.

1782. At a SESSION of the GENERAL ASSEMBLY of MARYLA begun and held at the CITY of ANNAPOLIS, on Thurſday, 25th of April, in the year of our Lord 1782, and ended the day of June, the following laws were enacted.

THOMAS SIM LEE, ESQUIRE, GOVERNOR.

CHAP. I.

Paſſed 15th of June, 1782.

An ACT for the adjournment of civil cauſes ruled for trial at the next general court for the w ſhore. Lib. TBH. No. A. fol. 133.

CHAP. II.

A Bill, entitled, An act for an addition to Baltimore-town, in timore county. Lib. TBH. No. A. fol. 134.

Preamble.

WHEREAS John Eager Howard, of Baltimore-town, by his humble petition to this ge aſſembly, hath ſet forth, that he is ſeized and poſſeſſed of great part of a tract of land Lun's Lot, part of which hath been heretofore laid out into lots, and annexed to Baltimore- which ſaid lots have been built upon and conſiderably improved; and that it would tend grea the advantage of the ſaid town, in caſe other parts of the ſaid tract of land were laid out into venient ſtreets, lanes and alleys, and therefore prayed a law might paſs for that purpoſe; appearing to this general aſſembly, that to extend the limits of the ſaid town would contribu promote the trade and commerce thereof,

Land to be ſurveyed, &c.

II. BE IT ENACTED, *by the General Aſſembly of Maryland*, That the commiſſioners of Balti town, or the major part of them, be authoriſed and required, at any time before the firſt September next, to cauſe the aforeſaid tract of land, or ſuch part thereof as they may think nec (not already incorporated and made part of the town aforeſaid,) to be ſurveyed and laid out into ſtreets, lanes and alleys, at the proper coſt and expence of the ſaid John Eager Howard, in manner as to the ſaid commiſſioners, or a major part of them, ſhall ſeem convenient.

A plot to be made, &c.

III. AND BE IT ENACTED, That the commiſſioners aforeſaid, or a major part of them, ſhall, before the ſaid firſt day of September, cauſe a correct and accurate ſurvey and plot to be made ſaid land, and of all the lots, ſtreets, lanes and alleys, which ſhall be laid out in virtue of thi

aid plot ſhall be recorded amongſt the records of the ſaid town, as ſoon as conveniently may hereafter, there to remain as evidence of the boundaries, ſituation and location, of the ſaid lots, the ſtreets, lanes and alleys; which ſaid ſtreets, lanes and alleys, hereafter to be laid out in ce of this act, ſhall be highways, and be ſo deemed and taken to all intents and purpoſes ver; and when the ſame ſhall be done, the ſaid land, ſo ſurveyed and laid out, ſhall be, and is declared to be, part of Baltimore-town, as fully and amply as if included originally therein, ll have the ſame immunities and privileges as the reſt of the ſaid town has, or by former laws o have; ſaving to the ſtate of Maryland, and all bodies politic and corporate, and all perſons ntioned in this act, their ſeveral and reſpective rights.

CHAP. III.

ACT for the protection of our bay trade, and to defend our citi- ns expoſed to plunder by the enemy's barges. Lib. TBH. No. fol. 135.

Paſſed 15th of June, 1782.

IT ENACTED, *by the General Aſſembly of Maryland*, That four large barges (or row-boats,) be mediately procured, and fitted out with ſails, oars, cannon and ſwivels, and well manned, ovided in every reſpect for a cruiſe within the bay until the firſt day of January next; and that lley, or other veſſel of force, be procured, fitted out, armed and manned, to cruiſe with the rges, and that the governor and the council be authoriſed and requeſted to appoint and com- a captain, and firſt and ſecond lieutenant (brave and experienced ſeamen or mariners,) to mmand of each of the ſaid barges, and ſuch number of proper officers to command the ſaid or veſſel of force, and a ſkilful ſurgeon, with one or more mates, as they may think neceſſary; e governor and council may allow to ſuch officers ſuch pay, according to their rank, in current , and ſuch rations and privileges, as they may think proper.

Barges to be procured, &c.

AND BE IT ENACTED, That the following barges, to wit, the large barge now in the dock of olis, built at Saliſbury, the two barges, one called Daſhiell's barge, now alſo in the ſaid dock, e other the Protector, now in Pocomoke, and the barge at Cambridge, called the Defence, if rocured from the proprietors on reaſonable terms, be fitted out as before directed.

And fitted out, &c.

AND, for the manning the ſaid barges, and galley or veſſel of force, BE IT ENACTED, That ndred and fifty men (to conſiſt of a due proportion of able ſeamen and watermen, or perſons bay-craft, and landſmen or marines,) be raiſed by voluntary enliſtment, to ſerve on board the eſſels until the firſt day of January next, or for a longer term; and every perſon entering into rvice ſhall witneſs the ſame, by voluntarily ſubſcribing an engagement to ſerve as a ſeaman, an or marine, as the caſe may be, on board of ſome one of the barges, or galley or other of force, belonging to this ſtate, according to the terms mentioned in their reſpective enliſt- unleſs ſooner diſcharged by order of the governor and the council; and all officers, ſeamen, en and marines, engaging in this ſervice, ſhall be ſubject to the laſt articles eſtabliſhed by s for the government of the navy of the United States.

Men to be raiſed, &c.

AND BE IT ENACTED, That no perſon ſhall be enliſted but ſuch as are able bodied, perfect in r limbs and ſight, of ſound health, and without ruptures or other viſible infirmities, above five ur inches high, and above ſixteen and under fifty years of age, and if above forty, of robuſt utions, and natives are to be preferred, and ſuch as are connected by marriage, or have pro- in the ſtate, and no deſerters from the Britiſh army or navy, or ſervants or apprentices, are to iſted on any account; and the officer enliſting ſhall make return of the names of each perſon , the time when, and the country of his birth, and place of his laſt reſidence, with his ſtature, rtion and complexion, or other deſcription.

None but able bodied men to be enliſted, &c.

AND BE IT ENACTED, That the honourable William Paca, Matthew Tilghman and Robert borough, Eſquires, be appointed commiſſioners, and that they, or any two of them, may pro- fit out, arm and man, the ſaid barges and galley or veſſel of force, and to provide all neceſſa- and hoſpital and other ſtores, for the uſe of the officers and men; and to appoint proper perſons iſt the ſeamen, watermen and marines, and to direct what bounty and pay ſhall be given to reſpectively, agreeable to ſuch inſtructions as they ſhall receive from the general aſſembly; and hall lay an account of the receipts and expenditures of all money applied to this ſervice before ext ſeſſion of the general aſſembly.

Commiſſioners appointed, &c.

CHAP. III.

Money appropriated, &c.

VI. AND BE IT ENACTED, That a sum not exceeding ten thousand pounds current money propriated to the execution of this act, and that military stores and provisions for rations be fu ed out of the public magazines and stores.

Certain money to be paid, &c.

VII. AND, to procure the said money, BE IT ENACTED, That two thousand pounds, arisin the late sales of confiscated British property, and now or daily expected to be paid to the co sioners for the sales of such property, be paid by them to the commissioners appointed to fit o said galley and barges.

Sales to be confirmed, &c.

VIII. AND BE IT ENACTED, That the commissioners for the preservation and sale of confi British property, be authorised and directed to confirm the sales heretofore made of certain l Whetstone Point to the first purchasers, if they will make their first payment within fifteen day notice, and, in case of their default, to the second purchasers, if they will make their first pa within five days after the expiration of the said fifteen days, and, upon default, the said co sioners may sell the same upon the terms expressed for selling certain confiscated British prope the act of last session of assembly * to raise recruits, and the said commissioners are directed t notice to the said purchasers as soon as possible, and to call on such purchasers of lots on Whe Point who have made their first to make their second payment.

* Chapter 28.

Lots to be sold, &c.

IX. AND BE IT ENACTED, That the said commissioners be authorised and directed to sell at au after two weeks notice, certain lots of confiscated British property in Baltimore-town, or oth appropriated British property, on the terms in the act to raise recruits, passed last session, * amount of one thousand pounds current money; provided, that no property be sold for less th last assessment thereof.

* Chapter 28.

Money to be applied, &c.

X. AND BE IT ENACTED, That all money received since the first day of May last, or whic be received before the first day of January next, for land warrants, or for composition on certifi and the money to become due on the third payments for British property sold in virtue of the raise recruits, shall be applied, so far as may be necessary, to the execution of this act.

Specifics to be sold, &c.

XI. AND, if there should be any deficiency, BE IT ENACTED, That the intendant be auth and directed to sell such of the specifics as he may judge most advantageous to the public, to up such deficiency.

Officers, &c. to be provided for.

XII. AND BE IT ENACTED, That if any officer, seaman, waterman or marine, shall lose a or be otherwise maimed or hurt, so as to be rendered incapable of procuring a livelihood, such seaman, waterman or marine, shall be entitled to receive the same provision and support, a shall hereafter be established by this state for its officers and soldiers in the service of the U States.

Penalty on enticing seamen to leave the service, &c.

XIII. AND, to prevent masters of vessels and others from enticing any seaman, waterm marine, to leave the service of the state, BE IT ENACTED, That if any person shall persuade tice any seaman, waterman or marine, to leave the service of this state, such person, on con thereof in the general or any county court, shall forfeit fifty pounds current money; and if an ter or mate of any vessel shall hire or entertain, or conceal, or endeavour to conceal, any se waterman or marine, entered in the service of this state, knowing him to belong to such se such master or mate, on conviction thereof before the governor and the council, or any one judges of the general court, or any two justices of the peace, shall forfeit twenty pounds c money; and if any seaman, or other person employed on board any vessel, shall entertain or co or endeavour to conceal, any seaman, waterman or marine, entered in the service of the stat knowing him to belong to such service, such person, convicted thereof as aforesaid, shall ther be deemed as entered in the service of the state for three years as a seaman, waterman or m and receive wages as such.

Prizes to be divided.

XIV. AND, for the encouragement of the officers and soldiers of the said barges and ga other vessel of force, BE IT ENACTED, That any prizes or booty taken by them from the e shall be divided among the captors in such proportion as regulated in like cases by congress.

Recruits to be employed, &c.

XV. AND, until a sufficient number of men can be procured by enlistment, BE IT ENACTED such number of the recruits lately enlisted in this state, as the honourable major-general Sma shall think fit for the service, and can be spared, be employed on board the said barges and ga

of force, and that each of the ſaid recruits ſhall receive as a gratuity the ſum of thirty ſhillings the laſt emiſſion. CHAP. III.

VI. AND BE IT ENACTED, That this general aſſembly, at this ſeſſion, will provide ample funds, Funds to be provided, &c.
ſales of confiſcated Britiſh property, or ſpecifics, to replace the money appropriated by the act
t ſeſſion * to the recruiting ſervice, and now applied to the defence of the bay. * Chapter 28.

VII. AND BE IT ENACTED, That the ſaid commiſſioners, or any two of them, as ſoon as they Galley, &c. to be delivered, &c.
have fitted out the ſaid galley or veſſel of force, and barges, ſhall deliver them to the order of
overnor and the council, who will employ them in ſuch manner as they may think proper to
er the intention of this general aſſembly.

VIII. AND BE IT ENACTED, That the honourable Robert Hanſon Harriſon, Eſquire, chief R. H. Harriſon appointed, &c.
e of the general court of this ſtate, be appointed, on behalf of the legiſlature thereof, to repair
on as convenient to Richmond, in Virginia, there to conſult the legiſlature or executive of that
on the moſt effectual meaſures for protecting the trade of the bay of Cheſapeake, and the pro-
of the people inhabiting the ſhores thereof; and that he be directed to aſſure the legiſlature or
tive of Virginia, that we conſider the intereſts of the two ſtates as mutual and inſeparable, and
rely wiſh to preſerve the ſtricteſt union, harmony, and communication of good offices and cor-
ndence between the legiſlatures and people of our reſpective governments.

CHAP. IV.

AN ACT for the building a new court-houſe and gaol in Queen-Anne's county, and for other purpoſes therein mentioned. Lib. TBH. No. A. fol. 138.

Paſſed 15th of June, 1782.

Supplements November, 1788, ch. 29, 1789, ch. 25, 1790, ch. 40.

WHEREAS the inhabitants of Queen-Anne's county, by their petition to this general aſſembly Preamble.
have repreſented, that they have long laboured under great hardſhips and inconveniencies,
ending public buſineſs at Queen's-town; that the court-houſe and priſon are in a ruinous con-
, and that it is the earneſt deſire of a great majority of the inhabitants, that they may not be
ed, but that all the public property in Queen's-town belonging to the county may be aſcertain-
d ſold, and the ſales thereof applied towards erecting public buildings at a more convenient
, and that the head of Corſica-creek would be a proper place on which to erect the public
ngs for the ſaid county; and it appears to this general aſſembly, that the granting of the prayer
e petition would conduce greatly to the general eaſe and convenience of the inhabitants of the
ounty;

I. BE IT ENACTED, *by the General Aſſembly of Maryland*, That Solomon Wright, Thomas Wright, Commiſſioners appointed, &c.
el Downes, Clement Sewel, Samuel Ridgeway, Edward Downes and John Dames, Eſquires,
ppointed commiſſioners for the county aforeſaid, and they, or the major part of them, ſhall be
re hereby authoriſed and required to purchaſe, in fee, a quantity of land, not exceeding four
, at or near the head of Corſica-creek, in the county aforeſaid, for the purpoſe of building
on a court-houſe and priſon for the ſaid county, and ſhall cauſe the ſaid land to be laid out by
rveyor of the county, with good and ſufficient boundaries, and a certificate thereof to be re-
d and enrolled among the land records of the ſaid county; and if the ſaid commiſſioners, or a
part of them, cannot agree with the owner of the land for the purchaſe thereof, the commiſ-
, or the major part of them, are hereby authoriſed and required to direct the ſheriff of Queen-
's county to ſummon twelve inhabitants of the ſaid county (qualified to be jurors,) to meet on
id land, who ſhall be empannelled and ſworn as a jury to inquire the value of the ſaid land,
e ſaid commiſſioners ſhall pay the value of the ſaid land as aforeſaid agreed for, or valued as
aid, out of the money hereafter directed to be collected for that purpoſe, and, on payment of
id money, the fee-ſimple in the ſaid land ſhall be veſted in the ſaid county for ever.

II. AND BE IT ENACTED, That the commiſſioners aforeſaid, or the major part of them, be Court-houſe to be ſold, &c.
miſed and required to expoſe to ſale, at auction, after the tenth day of July next, and after
weeks notice of the ſale, by advertiſements ſet up at the moſt public place in the county, the
t court-houſe and priſon, and the land in Queen's-town belonging to the county, and on pay-
of the money, to execute and acknowledge a deed of bargain and ſale for the ſame to the pur-
e.

CHAP. IV.

How the money is to be applied, &c.

IV. AND BE IT ENACTED, That the commissioners aforesaid, or the major part of th authorised and required, immediately after the said sale, and out of the money arising therefr pay for the land procured for the erecting the new court-house and prison, and to apply the of the money towards erecting the new prison.

Justices to contract, &c.

V. AND BE IT ENACTED, That the justices of Queen-Anne's county be authorised and requ contract and agree for a convenient place near Chester Mill, to hold the courts for the county said, and also for their books, papers and records, and also for a fit building for the cust prisoners; and from and after the tenth day of July next, the several courts and elections county aforesaid shall be held, and the records kept, at such places as shall be provided by t tices aforesaid, for the purposes aforesaid, until the court-house and prison shall be built at th laid out by the commissioners aforesaid for that purpose, or until buildings convenient for holdi said courts shall be erected there, which ever may first happen; and that the several cour elections, as soon as conveniently may be, shall be held at the place laid out as aforesaid, a elsewhere.

Expence to be defrayed, &c.

VI. AND BE IT ENACTED, That the expence of procuring such places for holding the cour records as aforesaid until the court-house and prison are erected, shall be defrayed by the cou other county charges.

CHAP. V.

Passed 15th of June, 1782.

An ACT to prevent the exportation of bread and flour not merchantable from George-tow Montgomery county, and for other purposes. Lib. TBH. No. A. fol. 139.

This act was to continue and be in force for and during the term of the act to prevent the exportation of bread and f merchantable, and for other purposes, viz. The act of November, 1781, ch. 12, which expired at the end of the session o

CHAP. VI.

An ACT to authorise the commissioners for the preservation and sale of confiscated British p ty to convey certain lands to William Winder. Lib. TBH. No. A. fol. 140. A Private A

CHAP. VII.

An ACT declaring that the causeway leading through Pocom swamp to Snow Hill, be repaired and maintained at the charg Worcester county. Lib. TBH. No. A. fol. 140.

Preamble.

WHEREAS it is represented to this general assembly, that the said causeway has been for time repaired at the expence of a few individuals, and it appearing that the same cau leads to the town of Snow Hill, and is used as a highway by very many of the inhabitants of cester county, and that it ought to be maintained at the charge of the county;

To be a public highway, &c.

II. BE IT ENACTED, *by the General Assembly of Maryland*, That the justices of Worcester c be authorised and required to declare the said causeway as a public highway, and, from time to to take care that the same be kept and maintained in good order, and fit for the passage of all t lers, with their beasts, and carriages and burthens, at the expence of the county, and to appoi overseer of the said causeway, and to make such orders respecting the maintaining thereof in repair as to them may appear necessary.

CHAP. VIII.

An ACT for founding a college at Chester-town. Lib. TBH. A. fol. 141.

Preamble.

WHEREAS institutions for the liberal education of youth in the principles of virtue, l ledge, and useful literature, are of the highest benefit to society, in order to raise up perpetuate a succession of able and honest men, for discharging the various offices and duties o community, both civil and religious, with usefulness and reputation, and such institutions of lea have accordingly merited and received the attention and encouragement of the wisest and be gulated states: And whereas former legislatures of this state have, according to their best abi laid a considerable foundation in this good work, in sundry laws for the establishment and encou ment of county schools, for the study of Latin, Greek, writing, and the like, intending, as future circumstances might permit, to engraft or raise, on the foundation of said schools, mor tensive seminaries of learning, by erecting one or more colleges, or places of universal study only in the learned languages, but in philosophy, divinity, law, physic, and other useful and

CHAP. VIII.

...l arts and ſciences: And whereas this great and laudable undertaking hath been retarded by ...y incidents of a public nature, but chiefly by the great difficulty of fixing a ſituation on either ...e of this ſtate for a ſeminary of univerſal learning, which might be of equal benefit and convenience ...e youth of both ſhores; and it having been repreſented to this general aſſembly, that it would pro... tend moſt to the immediate advancement of literature in this ſtate, if the inhabitants of each ...e ſhould be left to conſult their own convenience, in founding and freely endowing a college or ...nary of general learning each for themſelves, under the ſanction of law; which two colleges or ...naries, if thought moſt conducive to the advancement of learning, religion and good government, ...afterwards, by common conſent, when duly founded and endowed, be united under one ſupreme ...ature and viſitatorial juriſdiction, as diſtinct branches or members of the ſame ſtate univerſity, ...withſtanding their diſtance of ſituation: And whereas Joſeph Nicholſon, James Anderſon, John ..., William Boardly, and Peregrine Lethrbury, Eſquires, William Smith, doctor of divinity, and ...amin Chambers, Eſquire, the preſent viſitors of Kent county ſchool in the town of Cheſter, ...e repreſented to this general aſſembly, that the ſaid ſchool hath of late increaſed greatly, by an ...eſſion of ſtudents and ſcholars from various parts of the eaſtern ſhore of this ſtate, and the neigh...ring Delaware ſtate, there being now about one hundred and forty ſtudents and ſcholars in the ...ſchool, and the number expected ſoon to increaſe to at leaſt two hundred; and that the Latin ...Greek languages, Engliſh, French, writing, merchants accounts, and the different branches of ...mathematics, are taught in the ſame, under a ſufficient number of able and approved maſters; ...ſundry of the ſtudents are preparing and deſirous to enter upon a courſe of philoſophy, and muſt ...ir to ſome other ſtate, at a very grievous and inconvenient expence, to finiſh their education, ...ſs they, the ſaid viſitors, are enabled to enlarge the plan of the ſaid ſchool, by engrafting there...ſyſtem of liberal education in the arts and ſciences, and providing neceſſary books and apparatus, ...h an additional number of maſters and profeſſors; and the ſaid viſitors have further expreſſed their ...rance, that if they were made capable in law of erecting the ſaid ſchool into a college or general ...inary of learning for the eaſtern ſhore, or peninſula between the bays of Cheſapeake and Dela...re (maintaining the original deſign of the ſaid ſchool as a foundation not to be violated,) very con...erable ſums could be raiſed in a few years, within the ſaid peninſula, by free and voluntary con...utions, for the eſtabliſhment and ſupport of ſuch ſeminary, and have accordingly prayed, that a ...may be paſſed to enable them, the ſaid viſitors, to enlarge and improve the ſaid ſchool into a ...ege, or place of univerſal learning, with the uſual privileges: Now this general aſſembly, taking ...ſaid petition into their ſerious conſideration, and being deſirous to encourage and promote know...ge within this ſtate, have agreed to enact,

School to be erected into a college, &c.

II. AND BE IT ENACTED, *by the General Aſſembly of Maryland*, That the ſaid Joſeph Nicholſon, James ...derſon, John Scot, William Boardly, Peregrine Lethrbury, William Smith and Benjamin Cham..., the preſent viſitors of Kent county ſchool, and their ſucceſſors, ſhall have full power and ...hority to erect the ſaid ſchool into a college or ſeminary of univerſal learning, and to increaſe the ...ber of viſitors and governors thereof to twenty-four, in manner following; that is to ſay, ..., the ſaid viſitors of Kent county ſchool, and their ſucceſſors, for and during the term of five ...rs next after the paſſing of this act, are hereby empowered and made capable to receive contribu...ns and ſubſcriptions for the ſaid intended college or ſeminary of univerſal learning, of any perſon ...perſons who may be willing to promote ſo good a deſign; and, in caſe any number or denomina...n of contributors in any county of the eaſtern ſhore of this ſtate, or of the peninſula aforeſaid in ...e neighbouring ſtates, ſhall ſubſcribe and engage to pay towards the founding and ſupporting the ...d intended college, any ſum not leſs than five hundred pounds current money, payable in Spaniſh ...ed dollars, or the value thereof, as the ſame may be at the times of payment, in good merchant...e wheat or tobacco, the ſaid viſitors and their ſucceſſors, may covenant and agree with ſuch ſub...ribers and contributors, that there ſhall be one viſitor and governor of the ſaid college choſen for ...r out of ſuch county for every five hundred pounds of ſpecie ſo ſubſcribed and paid, or ſecured ...be paid, towards founding and ſupporting the ſaid college, and that the firſt election of every ſuch ...unty viſitor and governor of the ſaid college ſhall be made by the ſubſcribers and contributors in ...e county, within three months after the ſum of five hundred pounds, or the value thereof, ſhall be ...ſcribed and paid, or ſecured to be paid, as aforeſaid; and due notice of the time and place of ...ction ſhall be given to the ſubſcribers and contributors in every county, in ſuch form and manner ...ſhall be agreed upon by the viſitors of Kent county ſchool, and ſet forth in the preamble of the ...ſcription papers, which the ſaid viſitors ſhall ſend into the ſeveral counties for obtaining ſubſcrip...ns towards founding and ſupporting the ſaid college: Secondly, if the viſitors of any county ...ool on the ſaid eaſtern ſhore, for the more effectual advancement of uſeful knowledge, and the ...ter promoting the good purpoſes for which ſuch county ſchools were originally founded, ſhall be ...rous to engraft and conſolidate the funds and eſtate of ſuch county ſchool, or any part or parts of the

CHAP. VIII.

the ſame, with the funds and eſtate of the ſaid intended college, the viſitors of Kent county ſ
for and during the term of five years next after paſſing this act (unleſs the ſaid college is
eſtabliſhed agreeable to the tenor hereof,) and the viſitors or governors of the college, at an
after the ſame ſhall be ſo eſtabliſhed, ſhall have full power and authority to treat and agree wi
viſitors of ſuch county ſchool, and to allow one viſitor and governor of the college to be fo
choſen from among the inhabitants of ſuch county, for every five hundred pounds which an
county ſchools may contribute towards founding and ſupporting the ſaid college, the firſt ch
be in the viſitors of ſuch county ſchool; or in conſideration of the ſaid five hundred pounds c
bution, or if any ſum or eſtate of greater or leſs value, that may be thus given by any county
towards the ſaid college, any other privileges and advantages, in reſpect to the education
youth of ſuch county in the college, may be fixed and agreed upon, as ſhall be judged reaſonab
tween the viſitors and governors of the college and the viſitors of ſuch county ſchool, inſt
fixing any viſitor and governor to be for ever choſen from the ſaid county; and all contrac
agreements, truly and fairly made for founding and ſupporting the ſaid college, as above ſet
ſhall be good and effectual in law, according to the plain intent and the true and legal conſtruct
the ſame; provided always, that the whole number of viſitors and governors of the ſaid colleg
never be more than twenty-four at one time, nor under ſeventeen, and that not leſs than ſe
them ſhall have their uſual reſidence in Kent county, and within ſeven miles of the town of C
aforeſaid: Thirdly, when any of the firſt viſitors and governors of the ſaid college, choſen as
ſaid on the part of any county, or any of the viſitors and governors in general, ſhall die or re
out of the county for which he was choſen, or abſent himſelf from four ſucceeding quarterly
ings, without ſuch excuſe or plea of neceſſary abſence as ſhall be deemed reaſonable by a leg
juſt quorum of the ſaid viſitors and governors, duly aſſembled at a quarterly viſitation of th
college, ſuch quorum, ſo aſſembled, ſhall proceed by a new election to fill up the ſeat and pl
ſuch deceaſed, removed, or abſenting member, having ſpecial regard that in the room of a dece
removed, or abſenting viſitor and governor from any particular county, another of the ſame c
be always choſen in his room and ſtead.

When to be incorporated, &c.

III. AND BE IT ENACTED, That when ten viſitors and governors of the ſaid intended college
be choſen as aforeſaid, in addition to the viſitors of Kent county ſchool for the time being, and
the ſaid ſeventeen viſitors and governors ſhall, by an inſtrument of writing under their hands t
general aſſembly of this ſtate directed and duly delivered, declare that they are willing and de
to take upon them and to diſcharge the truſt of viſitors and governors of the ſaid intended co
and that an eſtate, or ſum and ſums of money not leſs than five thouſand pounds current mone
the juſt value thereof (including the eſtate of the ſaid Kent county ſchool,) is in their hands,
ſecured to be paid to them that they will anſwer for the value thereof, and the application o
ſame towards founding, endowing and ſupporting, the ſaid intended college, according to thei
judgment and the tenor of this act, provided always, that ſuch inſtrument of writing be lodged
the general aſſembly, as aforeſaid, within five years after the paſſing of this act; that then a
ſuch caſe the ſaid ſeventeen viſitors and governors, and ſuch other perſon and perſons as they
chooſe to make up and perpetuate the number of twenty-four, agreeable to the tenor hereof, ſha
and are hereby declared to be, one community, corporation and body politic, to have contin
for ever, by the name of The Viſitors and Governors of Waſhington College, in the State of M
land, in honourable and perpetual memory of his excellency general Waſhington, the illuſtriou
virtuous commander in chief of the armies of the United States, and by the ſame name they
have perpetual ſucceſſion; provided nevertheleſs, that ſeventeen of the ſaid viſitors and gover
ſhall always be reſidents on the eaſtern ſhore of this ſtate, but that the ſeven additional viſitors
governors (to make up and perpetuate the number of twenty-four,) may be choſen from this o
part of the adjacent ſtates, if they are ſuch perſons as can reaſonably undertake to attend the
terly viſitations, and are thought capable, by their particular learning, weight and characte
advance the intereſt and reputation of the ſaid ſeminary.

Viſitors may purchaſe land, &c.

IV. AND BE IT ENACTED, That the ſaid viſitors and governors, and their ſucceſſors, by the
name, ſhall be able and capable in law to purchaſe, have and enjoy, to them and their ſucceſſor
fee, or for any other leſſer eſtate or eſtates, any lands, tenements, rents, annuities, penſion
other hereditaments, within this ſtate, by the gift, grant, bargain, ſale, alienation, enfeof
releaſe, confirmation or deviſe, of any perſon or perſons, bodies politic or corporate, capab
make the ſame; and ſuch lands, tenements, rents, annuities, penſions, or other hereditament
any leſſer eſtates, rights or intereſts, of or in the ſame, (excepting the eſtate of the ſaid Kent c
ty ſchool,) at their pleaſure to grant, alien, ſell and tranſfer, in ſuch manner and form as they
think meet and convenient for the furtherance of the ſaid college; and alſo that they may take
rec

re any ſum or ſums of money, and any kind, manner or portion, of goods and chattels that ſhall ven, ſold or bequeathed, to them, by any perſon or perſons, bodies politic or corporate, capa- make a gift, ſale or bequeſt thereof, and employ the ſame towards erecting, ſetting up and ining, the ſaid college, in ſuch manner as they ſhall judge moſt neceſſary and convenient for ſtruction, improvement and education, of youth, in the vernacular and learned languages, and lly in any kind of literature, arts and ſciences, which they ſhall think proper to be taught, ining up good, uſeful and accompliſhed men, for the ſervice of their country in church and and youth of all religious denominations and perſuaſions ſhall be freely and liberally admitted al privileges and advantages of education, and to all the literary honours of the college, ac- g to their merit, and the ſtanding rules of the ſeminary, without requiring or enforcing any ous or civil teſt whatſoever upon any ſtudent, ſcholar or member, of the ſaid college, other than oath of fidelity to the ſtate as the laws thereof may require of the viſitors, governors, maſters, ſors and teachers, in ſchools and ſeminaries of learning in general; nor ſhall any preference be in the choice of any viſitor and governor of the ſaid college, or of the principal, vice-princi- or any profeſſor or maſter, on account of his religious perſuaſions, but merely on account of his ry and other neceſſary qualifications to fill the place for which he is choſen.

Sue and be ſued, &c.

I. AND BE IT ENACTED, That the ſaid viſitors and governors, and their ſucceſſors, by the name ſaid, ſhall be able in law to ſue and be ſued, plead and be impleaded, in any court or courts, e any judge, judges or juſtices, within this ſtate and elſewhere, in all and all manner of ſuits, laints, pleas, cauſes, matters and demands, of whatſoever kind, nature or form, they be; and d every other matter and thing therein to do, in as full and effectual a manner as any other n or perſons, bodies politic or corporate, within this ſtate, or any of the United States of rica, in like caſes may or can do.

Have ſeals, &c.

II. AND BE IT ENACTED, That the ſaid viſitors and governors, and their ſucceſſors, ſhall have power and authority to have, make and uſe, one common and public ſeal, and likewiſe one privy with ſuch devices and inſcriptions as they ſhall think proper; and to aſcertain, fix and regulate, ſes of both ſeals by their own laws, and the ſame ſeals, or either of them, to change, break, and renew, at their pleaſure.

And appoint a principal, &c.

III. AND BE IT ENACTED, That the ſaid viſitors and governors, and their ſucceſſors, from time e, and at all times hereafter for ever, ſhall have full power and authority to conſtitute and ap- nt, in ſuch manner as they ſhall think beſt and moſt convenient, a principal and vice-principal e ſaid college, and profeſſors, with proper tutors and aſſiſtants, for inſtructing the ſtudents and ars of the ſaid ſeminary in all the liberal arts and ſciences, and in the ancient and modern es and languages, who ſhall be ſeverally ſtyled Profeſſors of ſuch arts, ſciences, languages nages, as they ſhall be nominated and appointed for, according to each particular nominati- d appointment; and the ſaid principal, vice-principal and profeſſors, ſo conſtituted and appoint- om time to time, ſhall be known and diſtinguiſhed for ever as one learned body or faculty, by name of the Principal, Vice-principal and Profeſſors, of Waſhington College, in the State of yland, and by that name ſhall be capable of exerciſing ſuch powers and authorities as the viſitors governors of the ſaid college, and their ſucceſſors, ſhall by their ordinances think neceſſary to ate to them, for the inſtruction, diſcipline and government, of the ſaid ſeminary, and of all the nts, ſcholars, miniſters and ſervants, belonging to the ſame; and the ſaid principal and vice- ipal, profeſſors, ſtudents, ſcholars, and ſuch neceſſary miniſters and ſervants as give conſtant dance upon the buſineſs and duties of the college, ſhall be exempted from all rents and taxes on r ſalaries, and from all military duties, except in the caſe of actual invaſion of the ſtate, and r general military law is declared.

Yearly value not to exceed a certain ſum, &c.

VIII. AND BE IT ENACTED, That the clear yearly value of the meſſuages, houſes, lands, tene- s, rents, annuities, or other hereditaments and real eſtate of the ſaid college and corporation, not exceed ſix thouſand pounds current money, to be reckoned in Spaniſh milled dollars at the ent rate and weight; and all gifts, grants and bequeſts, of the ſaid college and corporation, after yearly value of their eſtate ſhall amount to ſix thouſand pounds as aforeſaid, and all bargains and naſes to be made by the ſaid corporation, which may increaſe the yearly value of ſaid eſtate e or beyond the ſum aforeſaid, ſhall be abſolutely void and of none effect.

Viſitors to meet, &c.

IX. AND BE IT ENACTED, That the ſaid viſitors and governors, and their ſucceſſors, ſhall meet aſt four times in every year, in ſtated quarterly meetings, to be appointed by their own ordi- ces, and at ſuch other times as by their ſaid ordinances they may direct, in order to examine the progreſs

CHAP. VIII.

progreſs of the ſtudents and ſcholars in literature, to hear and determine on all complaints an peals, and upon all matters touching the diſcipline of the ſeminary, and the good and whol execution of their ordinances; in all which examinations, meetings and determinations, ſuch ber of the ſaid viſitors and governors duly met, (provided they be not leſs than ſeven,) ſhall quorum, as the fundamental ordinances at firſt, or any time afterwards, duly enacted by a ma of the whole viſitors, ſhall fix and determine.

To make ordinances, &c.

X. AND BE IT ENACTED, That a majority of the ſaid viſitors and governors for the time being, duly aſſembled, at any quarterly or other meeting, upon due notice given to the whole body of v and governors, ſhall have full power and authority to make fundamental ordinances for the gover of ſaid college, and the inſtruction of the youth as aforeſaid; and by theſe ordinances to appoint number of their own body, not leſs than ſeven, as they may think proper, to be a quorum for acting all general and neceſſary buſineſs of the ſaid ſeminary, and making temporary rules for t vernment of the ſame; and alſo by the ſaid fundamental ordinances, to delegate to the prin vice-principal and profeſſors, ſuch powers and authorities as they may think beſt, for the ſta government of the ſaid ſeminary, and execution of the ordinances and rules of the ſame; pro always, that they be not repugnant to the form of government, or any law of this ſtate.

To direct public commencements, &c.

XI. AND, for animating and encouraging the ſtudents of the ſaid college to a laudable dilig induſtry and progreſs, in uſeful literature and ſcience, BE IT ENACTED, That the ſaid viſitor governors, and their ſucceſſors, ſhall, by a written mandate under their privy ſeal, and the ha ſome one of the viſitors and governors to be choſen annually as their preſident, according to t dinance to be made for that purpoſe, have full power and authority to direct the principal, principal and profeſſors, to hold public commencements, either on ſtated annual days, or ſionally, as the future ordinances of the ſaid ſeminary may direct, and at ſuch commenceme admit any of the ſtudents in the ſaid college, or any other perſons meriting the ſame, (whoſe ſhall be ſeverally inſerted in the ſaid mandate,) to any degree or degrees in any of the faculties and ſciences, and liberal profeſſions, to which perſons are uſually admitted in other colleges o verſities in America or Europe; and it is hereby enacted, that the principal, or in caſe of his or abſence the vice-principal, and in caſe of the death or abſence of both, the ſenior profeſſo may be preſent, ſhall make out, and ſign with his name, diplomas or certificates of the admiſſi ſuch degree or degrees, which ſhall be ſealed with the public or greater ſeal of the ſaid corpo or college, and delivered to the graduates as honourable and perpetual teſtimonials of ſuch admi which diplomas, if thought neceſſary, for doing greater honour to ſuch graduates, ſhall alſo be with the names of the different profeſſors, or as many of them as can conveniently ſign the ſam

Proviſo.

XII. PROVIDED ALWAYS, That no ſtudent or ſtudents within the ſaid college ſhall ever mitted to any ſuch degree or degrees, nor have their names inſerted in any mandate for a d until ſuch ſtudent or ſtudents have been firſt duly examined and thought worthy of the ſame, public examination of candidates, to be held one whole month previous to the day of comm ment in the ſaid college, by and in the preſence of the ſaid viſitors and governors, or of ſuch rum of them, not leſs than ſeven, as the ordinances of the college may authoriſe for that pu and in the preſence of any other perſons chooſing to attend the ſame; and provided further, t perſon or perſons, excepting the ſtudents belonging to the ſaid ſeminary, ſhall ever be admit any honorary or other degree or degrees in the ſame, unleſs thirteen of the viſitors and nors, (of whom the preſident ſhall be one,) by mandate under their privy ſeal, and ſigned b hands of the whole thirteen, to the principal, vice-principal and profeſſors directed, have ſig their approbation and authority for the particular admiſſion of ſuch perſon to ſaid degree grees.

May appropriate land, &c.

XIII. AND BE IT ENACTED, That the viſitors of Kent county ſchool may ſet aſide and app ate ten acres of the land belonging to the ſaid ſchool, where they ſhall think moſt convenien erecting neceſſary buildings for carrying on the ſaid college, and laying out gardens and groun ther ecreation and refreſhment of the youth, and other ſuitable exerciſes; and the remainder grounds belonging to the ſaid Kent county ſchool may and ſhall be leaſed out by the viſitors ſaid ſchool for the time being, and by the viſitors and governors of the ſaid college, after the ſhall be eſtabliſhed, in leaſes for lives or ninety-nine years, or any other leaſes that may be moſt beneficial for advancing the cauſe of learning, and promoting the ſaid college, agreeable original deſign for which the ſaid Kent county ſchool was founded, and for which the ſaid ſchool were purchaſed,

XIV.

V. AND BE IT ENACTED, That the ordinances which shall be from time to time made by the ...rs and governors of the said college, and their successors, with an account of their other pro... ...gs, and of the management of the estate and monies committed to their trust, shall, when ...red, be laid before the general assembly of Maryland, for their inspection and examination; but ...e at any time hereafter, through overlight, or otherwise through misapprehensions and mistaken ...ructions of the powers, liberties and franchises, in this charter or act of incorporation granted ...tended to be granted, any ordinances should be made by the said corporation of visitors and go... ...rs, or any matters done and transacted by the corporation, contrary to the tenor hereof, it is ...ed, that although all such ordinances, acts and doings, shall in themselves be null and void, yet ...hall not, however, in any courts of law, or by the general assembly, be deemed, taken, inter... ...t or adjudged, into an avoidance or forfeiture of this charter and act of incorporation, but the ...shall be and remain unhurt, inviolate and entire, unto the said corporation of visitors and go... ...rs, in perpetual succession; and all their acts conformable to the powers, true intent and ...ing hereof, shall be and remain in full force and validity, the nullity and avoidance of such ...l acts to the contrary in anywise notwithstanding. CHAP. VIII. Ordinances to be laid before the assembly, &c.

VI. AND BE IT ENACTED AND DECLARED, That this charter and act of incorporation, and every ...thereof, shall be good and available in all things in the law, according to the true intent and ...ing thereof, and shall be construed, reputed and adjudged, in all cases, most favourably on the ...f and for the best benefit and behoof of the said visitors and governors, and their successors, so ...st effectually to answer the valuable ends of this act of incorporation, towards the general ad... ...ement and promotion of useful knowledge, science and virtue. Charter good in law, &c.

VII. AND BE IT ENACTED, That no person shall act as visitor and governor, or as principal or ...principal, or as professor, in the said college, before he shall take the oath of fidelity and sup... ...to this state required by the constitution or by the laws of this state. Visitors, &c. to take the oath, &c.

CHAP. IX.

...ACT for building a prison in Somerset county, and for other purposes. Lib. TBH. No. A. ...149. Passed 15th of June, 1782.

CHAP. X.

...ACT to punish persons contriving the escapes of prisoners of war. Lib. TBH. No. A. fol. 150.

To continue one year, &c. Expired.

CHAP. XI.

...ACT for the relief of John Ray, of Anne-Arundel county. Lib. TBH. No. A. fol. 152. ...Private Act.

CHAP. XII.

...upplement to an act, entitled, (a) An act to enable naval-officers to grant registers for vessels. ...b. TBH. No. A. fol. 152.

(a) October, 1780, ch. 28.

CHAP. XIII.

...ACT empowering Martin Harry, administrator of John Waley, to sell and dispose of a certain ...use and lot in the town of Shipton, in Washington county. Lib. TBH. No. A. fol. 153. A ...rivate Act.

CHAP. XIV.

...ACT for the relief of Charles Blair and Lilly his wife, lately called Lilly Hamilton. Lib. TBH. ...o. A. fol. 154. A Private Act.

CHAP. XV.

...ACT for the relief of certain nonjurors. Lib. TBH. No. A. fol. 155. A Private Act.

CHAP. XVI.

...ACT to make valid the recording a deed from Matthew Sparks and Margery his wife, to John ...amilton, of Prince-George's county. Lib. TBH. No. A. fol. 157. A Private Act.

CHAP. XVII.

...ACT for the relief of sundry persons appointed collectors for Pocomoke and Anamessex hun... ...ds, in Somerset county. Lib. TBH. No. A. fol. 158.

CHAP. XVIII.

Paſſed 15th of June, 1782. An ACT to authoriſe the commiſſioners for the preſervation and ſale of confiſcated Britiſh pr to convey certain land in Wiccomico manor to ſeveral of the tenants thereof. Lib. TBH. N fol. 158. A Private Act.

CHAP. XIX.

An ACT concerning forfeited lands, which may be entailed with mitations over in reverſion or remainder. Lib. TBH. No. fol. 159.

Preamble. WHEREAS on conviction and attainder of tenant in tail for treaſon, the reverſion or rema expectant thereon was not affected or barred by the laws of forfeiture and confiſcation the late government, where the perſon or perſons in reverſion or remainder were other perſons the offender or his heirs: And whereas it appears to this general aſſembly, that ſome of the lately ſeized and confiſcated by the act, entitled, (a) An act to ſeize, confiſcate and appropriat Britiſh property within this ſtate, are entailed lands with limitations over in remainder to pe not heirs of the tenant in tail, and it may ſo happen, that other lands, ſo ſeized and confiſc may be alſo entailed with the like limitations;

(a) October, 1780, ch. 45.

Rights preſerved, &c. II. BE IT ENACTED, *by the General Aſſembly of Maryland*, and it is hereby declared, That tena tail, on conviction and attainder for treaſon, or tenant in tail, whoſe property has been ſeize confiſcated by the act aforeſaid, ſhall forfeit no other eſtate than during life and the continuan heirs of his body, and that the rights of all perſons in reverſion or remainder, other than th fender or his heirs, ſhall be preſerved, and not affected or barred by ſuch forfeiture.

Commiſſioners to ſell, &c. III. AND BE IT ENACTED, That the commiſſioners for the preſervation and ſale of confiſc Britiſh property be, and are hereby empowered, to expoſe ſuch forfeited intereſt in entailed heritances to ſale, at public vendue, giving four weeks notice in the Annapolis and Baltim Gazette, and at other public places in the neighbourhood of ſuch eſtates, the ſale to be made for rent money, payable in three years, at three annual payments, with intereſt at the rate of ſi *cent. per annum*, and bonds with ſecurity to be taken accordingly.

CHAP. XX.

An ACT to empower William Aiſquith to ſell and diſpoſe of certain real and perſonal prope for the purpoſes therein mentioned. Lib. TBH. No. A. fol. 160. A Private Act.

CHAP. XXI.

An ACT for the relief of John Anderton and Amelia his wife, of Dorcheſter county. Lib. TB No. A. fol. 162. A Private Act.

CHAP. XXII.

An ACT for the ſettlement and payment of ſundry claims whi have ariſen from the tranſactions of the late ſpecial council on t eaſtern ſhore. Lib. TBH. No. A. fol. 162.

Preamble. WHEREAS ſundry claims againſt the public, ariſing from the tranſactions of the ſaid ſpec council, remain unſettled: And whereas there is ſtill in the hands of the ſaid council a ſum money of the laſt emiſſion, which may be ſufficient for the payment thereof, and it is thought t ſaid claims may be adjuſted and paid by thoſe gentlemen, with more eaſe to the parties, and w more juſtice to the public, than by any other means;

Commiſſioners to ſettle claims, &c. II. BE IT ENACTED, *by the General Aſſembly of Maryland*, That Matthew Tilghman, William Pa Richard Tilghman Earle, Joſiah Polk and William Bruff, Eſquires, be, and they are hereby appoi ed, commiſſioners for the ſettlement of all claims which may have ariſen againſt the public, in co ſequence of any agreement or tranſactions of the ſaid ſpecial council; and the ſaid commiſſioners, any three of them, are hereby authoriſed to adjuſt all ſuch claims, and pay the ſame out of any pap money of the laſt emiſſion which was heretofore lodged in the hands of the ſaid ſpecial council, pr vided the ſaid claimants will receive the ſame at par; and the ſaid commiſſioners are hereby direct and required to make regular accounts of the expenditure of all monies which were heretofore p into the hands of the ſaid ſpecial council, and return the ſame into the auditor's office.

CHA

CHAP. XXIII.

ACT to make valid a deed of bargain and ſale executed by Sarah Gaſſaway and Thomas Gaſſaway, executors of captain John Gaſſaway, to William Chapman, deceaſed. Lib. TBH. No. A. fol. 163. A Private Act. Paſſed 15th of June, 1782.

CHAP. XXIV.

ACT for the relief of the proprietor of Conococheague manor, in Waſhington county. Lib. TBH. No. A. fol. 165. A Private Act.

CHAP. XXV.

ACT to poſtpone the ſale of certain confiſcated Britiſh property for the redemption of certificates. Lib. TBH. No. A. fol. 165.

CHAP. XXVI.

ACT for the relief of Anthony Addiſon and Eleanor Callis. Lib. TBH. No. A. fol. 166. A Private Act.

CHAP. XXVII.

ACT to make valid the proceedings of the commiſſioners of the tax for Dorcheſter county. Lib. TBH. No. A. fol. 168.

CHAP. XXVIII.

ACT to continue the acts of aſſembly therein mentioned, and for other purpoſes. Lib. TBH. No. A. fol. 168.

BE IT ENACTED, *by the General Aſſembly of Maryland*, That an act of aſſembly, entitled A ſupplement to the act for the regulation of the ſtaple of tobacco, made at a ſeſſion of aſſembly begun and held at the city of Annapolis on Tueſday the ſeventeenth day of October, ſeventeen hundred and eighty, (a) and an additional ſupplement to the act for the regulation of the ſtaple of tobacco, made at a ſeſſion of aſſembly begun and held at the city of Annapolis on Tueſday the tenth day of October, ſeventeen hundred and eighty-one, (b) be and they are hereby continued, and ſhall be and remain in full force until the end of the next ſeſſion of aſſembly; that another act of aſſembly, entitled, An act concerning nonjurors, made at a ſeſſion of aſſembly begun and held at the city of Annapolis on Monday the fifth day of November, ſeventeen hundred and eighty-one, (c) be and is hereby continued, and ſhall be and remain in full force until the end of the next ſeſſion of aſſembly; that another act of aſſembly, entitled, An act to regulate the militia, made at a ſeſſion of aſſembly begun and held at the city of Annapolis on Monday the ſixteenth day of June, ſeventeen hundred and ſeventy-ſeven, (d) and a ſupplementary act to the act, entitled, An act to regulate the militia, made at a ſeſſion of aſſembly begun and held at the city of Annapolis on Friday the thirty-firſt day of October, ſeventeen hundred and ſeventy-ſeven, (e) and an additional ſupplement to the act, entitled, An act to regulate the militia, made at a ſeſſion of aſſembly, begun and held at the city of Annapolis on Tueſday the ſeventeenth day of March, ſeventeen hundred and ſeventy-eight, (f) be and they are hereby continued, and ſhall be and remain in full force until the firſt day of January next. Several acts continued.

(a) October, 1780, ch. 39. (b) May, 1781, ch. 16. (c) November, 1781, ch. 17. (d) June, 1777, ch. 17. (e) October, 1777, ch. 21. (f) March, 1778, ch. 12.

II. AND, whereas by the ſupplementary act to the act, entitled, An act to regulate the militia, it is enacted, that every militia-man ordered out on actual ſervice, and neglecting or refuſing to attend, unleſs prevented by ſickneſs, ſhall forfeit and pay a ſum not exceeding two hundred pounds nor leſs than twenty pounds current money, at the diſcretion of the court-martial; and it being repreſented to this general aſſembly, that the fines impoſed in and by the ſaid act are become burthenſome and grievous to the ſubjects of this ſtate; BE IT ENACTED, *by the General Aſſembly of Maryland*, That from and after this ſeſſion of aſſembly, when any militia-man ſhall be ordered out on actual ſervice, and he ſhall neglect or refuſe to procure a ſubſtitute, and neglect or refuſe to attend, (unleſs prevented by ſickneſs,) ſhall forfeit and pay a ſum not exceeding two hundred pounds nor leſs than thirty ſhillings, at the diſcretion of the court-martial, to be levied and collected as in and by the ſaid act is directed, any thing in the above recited act to the contrary in anywiſe notwithſtanding. Fine on militia, &c.

The act to regulate the militia, (November, 1781, ch. 17,) and its ſupplements, having expired, the ſecond ſection of this act has ceaſed to have any operation.

CHAP. XXIX.

ACT for the benefit of the children of the late major Andrew Leitch. Lib. TBH. No. A. fol. 169. A Private Act.

CHAP. XXX.

ACT for the relief of the collectors of the tax in this ſtate. Lib. TBH. No. A. fol. 173. A Private Act.

CHAP. XXXI.

Passed 15th of June, 1782.

A Supplement to the act (a) to regulate public ferries. Lib. TBH. No. A. fol. 173.

(a) November, 1781, ch. 22.

Preamble. WHEREAS many persons may, between the sitting of the several county courts in this state, be desirous to keep public ferries: And whereas no provision is made, nor any power given to the justices in that case;

Justices may appoint, &c. II. BE IT ENACTED, *by the General Assembly of Maryland*, That on the application of any person desirous to keep a public ferry, at any place within this state where ferries have heretofore been used and kept, any two justices of the peace may, between the sitting of the county court, appoint such person to keep ferry until the next county court, agreeable to the act for regulating public ferries; and any person obtaining such permit shall enter into recognizance before the two justices aforesaid, similar to the recognizance directed by the above recited act.

And grant licence, &c. III. AND BE IT ENACTED, That when and as often as any person shall apply to the justices of the county court for a licence to keep a public ferry, and shall offer two good and sufficient securities, the said justices may and shall grant a licence to such person to keep ferry, notwithstanding the said court may have, previous to such application, granted licence or licences to other persons to keep ferry at the same place.

Continued to 30th October, 1805. For the several continuances see the note under the principal act.

CHAP. XXXII.

An ACT for vesting an estate in fee-simple in Eleazer M'Comb in one lot and a half of land in Chester-town, in Kent county. Lib. TBH. No. A. fol. 174. A Private Act.

CHAP. XXXIII.

An additional supplement to the act (b) to settle and adjust the accounts of the troops of this state in the service of the United States, and for other purposes. Lib. TBH. No. A. fol. 175.

(b) October, 1780, ch. 38.

Preamble. WHEREAS by the resolve of congress of the tenth of April, seventeen hundred and eighty, it is declared, that so soon as proper documents can be obtained, congress will cause the pay made good to all officers and soldiers then in service, the depreciation of their pay: And whereas by the act to settle and adjust the accounts of the troops of this state in the service of the United States, and for other purposes, passed at October session, seventeen hundred and eighty, * such officers and soldiers as left service between the said tenth day of April and the passing of the said act are not provided for;

* Chapter 38.

Certain officers, &c. allowed, &c. II. BE IT ENACTED, *by the General Assembly of Maryland*, That all officers and soldiers of the troops of this state, who were in service on the tenth day of April, seventeen hundred and eighty, shall have the depreciation of their pay while in service made good to them, in the same manner as is directed by the aforesaid act to officers and soldiers who were in service at the passage of the aforesaid act.

CHAP. XXXIV.

An ACT for the relief of Richard Richards, a languishing prisoner in Frederick county gaol. Lib. TBH. No. A. fol. 176. A Private Act.

CHAP. XXXV.

An ACT in favour of Legh Master. Lib. TBH. No. A. fol. 178. A Private Act.

CHAP. XXXVI.

An ACT for the liquidation and payment of debts against persons convicted of treason. Lib. TBH. No. A. fol. 179.

Supplements November, 1782, ch. 24, November, 1783, ch. 34, November, 1787, ch. 23.

Preamble. WHEREAS citizens of this state may have claims against persons convicted and attainted of treason, and there is no mode by which such claims can be liquidated:

II.

CHAP. XXXVI. How claims are to be ſettled, &c.

BE IT ENACTED, *by the General Aſſembly of Maryland*, That every perſon, having any account, claim or demand, againſt any ſubject of this ſtate, convicted and attainted of treaſon, and whoſe property has been, or hereafter may be, ſold by virtue of the act (a) to diſpoſe of certain confiſcated Britiſh and forfeited property, may lay his account, debt, claim or demand, before the commiſſioner-general, who is hereby empowered and directed to liquidate and adjuſt the ſame, and the certificate, if any, ſhall be ſigned by the auditor, and being paſſed by the intendant, may be delivered by the claimant to the treaſurer of the weſtern ſhore, who is hereby directed to aſſign to him any warrants or bonds taken for the ſale of the particular eſtate of which he is a creditor, that may be depoſited in the treaſury, or he may receive the money therefor, or a certificate, which may be diſcharged in taxes, at the option of the claimant or creditor, provided the ſame do not exceed the amount of the forfeited property ſold as aforeſaid.

(a) May, 1781, ch. 37.

By November, 1782, ch. 24, a ſale of confiſcated property is directed, and further proviſion is made reſpecting the payment of ſuch claims; and by November, 1783, ch. 34, a time is limitted for bringing in claims and making a dividend on them.

By November, 1787, ch. 23, the proviſions in this act were extended to perſons who were citizens of any other of the United States, and had debts, &c. due before the paſſing of this act.

CHAP. XXXVII.

AN ACT to ſuſpend the collection of the tax from certain perſons who have ſuffered by the enemy. Lib. TBH. No. A. fol. 179. A Private Act. Paſſed 15th of June, 1782.

CHAP. XXXVIII.

AN ACT allowing a longer time to compound on old certificates, and making further regulations reſpecting the ſale of vacant lands. Lib. TBH. No. A. fol. 180.

Perſons may compound, &c.

BE IT ENACTED, *by the General Aſſembly of Maryland*, That all perſons having ſurveys made before the firſt day of March, ſeventeen hundred and ſeventy-ſeven, or having ſurveys ſince made by virtue of warrants granted before that time, may compound thereon on or before the firſt day of December next, after which day warrants may iſſue to affect the land not paid for before that day, to the perſon who ſhall firſt apply for the ſame; provided always, that no warrant ſhall iſſue to affect any ſurvey not compounded on within the time aforeſaid limitted, if the certificate has been loſt or miſlaid, or erroneous, or where the owner is an infant, or caveat remains in force againſt iſſuing the ſame, or default in payment has not been owing to the neglect of the owner, without the expreſs conſent of the chancellor; and if any owner ſhall neglect to compound on ſuch certificates, he may, at any time before application for a warrant to affect ſuch land, obtain a grant, on paying for ſurplus vacant land the ſum of ſeven ſhillings and ſix-pence per acre, or for eſcheat land two thirds of the actual value, and for improvements (if any) the full worth thereof, as in other caſes.

Certificates to lie three months, &c.

AND BE IT ENACTED, That all certificates returned or to be returned in virtue of warrants or ſurveys granted before the firſt day of March, ſeventeen hundred and ſeventy-ſeven, ſhall lie in the office three months after the firſt day of July next; and all certificates returned upon warrants granted by virtue of the act (b) to appropriate certain lands to the uſe of the officers and ſoldiers of this ſtate, and for the ſale of vacant lands, or hereafter to be granted, ſhall lie in the office ſix months after they ſhall be compounded on, after which times reſpectively grants may iſſue, without notice, as required by the act of laſt ſeſſion.

(b) November, 1781, ch. 20.

Chain-carriers to be ſworn, &c.

AND BE IT ENACTED, That no perſon ſhall act as a chain-carrier, unleſs he be firſt ſworn or affirmed, faithfully, carefully and impartially, to carry the chain; which oath or affirmation any ſurveyor or ſheriff may adminiſter; and no ſurveyor ſhall execute any warrant from the land-office, or commiſſioner-general or any county court, unleſs the chain-carrier be firſt qualified as aforeſaid, and it is declared to be the duty of every ſurveyor, diligently to obſerve the conduct of chain-carriers, and to take care that they faithfully execute their duty.

U. Scott to deliver certificates, &c.

AND, whereas many certificates remain in the hands of Upton Scott, Eſquire, late examiner-general, BE IT ENACTED, That he be directed to deliver, on or before the firſt day of July next, all certificates in his hands, whether paſſed or not, to the regiſter of the land-office for the weſtern ſhore, and the ſaid regiſter ſhall receive the fees due on each of the ſaid certificates as have been examined and paſſed by the ſaid Upton Scott, and pay the ſame over to him or his order; and the ſaid regiſter ſhall deliver any erroneous certificate to the owner, on his giving his receipt therefor, and paying the fees due for examining thereof, which he ſhall alſo pay over to the ſaid Upton Scott, or his

CHAP. XXXVIII.

his order, and the owner may compel payment of such fees from the surveyor who returned erroneous certificate, or if dead from his executor or administrator.

Certificates to be corrected, &c.

V. AND, whereas there may be certificates in the land-office which include land lying within one of the reserves made by the late proprietaries, BE IT ENACTED, That no grant shall issue such certificate, but the same shall be corrected so as to exclude any land lying within any reserve

Governor, &c. to instruct surveyors, &c.

VI. AND, whereas divers persons may, by mistake or misapprehension of the late act for the ing the land-office, (a) conceive that they have a right to take up lands, heretofore reserved for use of the late lord proprietary, as common vacancy, BE IT ENACTED, That the governor and cil shall, (and they are hereby requested as soon as conveniently can be done,) give instructions the surveyors in the several counties of this state, not to run the lines of any common war special warrant, or warrant of resurvey, issued, or hereafter to issue, out of the land-office, for mon vacancy, into the manors or lands heretofore reserved for the use of the late lord proprie lying adjacent to such manors, or which may have been otherwise reserved for the use of said prietary, or which may have been heretofore set apart for the use of the Nanticoke Indians; is hereby declared, that the said reserves shall be appropriated to such uses and purposes as th neral assembly shall hereafter direct and appoint.

(a) November, 1781, ch. 20

Caution money to be repaid, &c.

VII. AND BE IT ENACTED, That any caution money which may have been paid into the tre for such reserves shall, on application to the governor and council, be immediately repaid to the son applying for and who hath paid in the same, and an order shall be given to such party on treasurer of the shore where the payment may have been made, to return such caution money repay the same out of the first money that may come into the treasury.

Caveated certificates to lie six months, &c.

VIII. AND, whereas many certificates lie in the office caveated, BE IT ENACTED, That such certificate shall remain for six months after the first day of July next, after which time, veat be not prosecuted, or *subpœna* taken out to bring the same to a full hearing, patent may and, for the information of all concerned, the register of the land-office for the western shore make out a list of all certificates, the name of the person, the name of the land, and in what ty, and by whom caveated, and the time when, and shall transmit such list in the nature of a letter, directed to the clerk of each county within this state, who shall give public notice of th ceipt thereof, by advertisement set up at the door of the court-house of said county, or at the of the place where the county courts have been usually held for his county.

New warrants may be granted, &c.

IX. AND BE IT ENACTED, That where any special or common warrants shall not be executed warrants may be granted in lieu thereof, or they may be applied towards the composition on any tificate, and shall thereupon be entitled to patent of confirmation, but nothing herein shall be tak construed to oblige or compel the owner or possessor to pay for surplus land, or in any mann weaken the title of such owner, or to give any person except the owner, under the grant heret issued, a right to take up or obtain a grant for any such surplus.

Warrants may be renewed, &c.

X. AND BE IT ENACTED, That all special or common warrants granted before the first d March, seventeen hundred and seventy-seven, may be renewed at any time within six months the first day of July next.

Subpœnas may issue, &c.

XI. AND BE IT ENACTED, That *subpœnas* may issue from the chancery, or from the general of either shore, to summon parties to appear before the chancellor, to maintain or answer any ca or to require the attendance of any witnesses to give testimony on any caveat, provided there b less than fifteen days on the western, and thirty days on the eastern shore, between the date o *subpœna* and the day of the return thereof; and every sheriff shall obey such *subpœna*, and, on r thereof, attachment for contempt may issue out of the court issuing the *subpœna*, against any wi who shall not attend, and the court may fine such witness for non-attendance, as in other cases every witness shall have the same allowance for his attendance and itinerant charges, as on *sub* out of the general court, and may compel the party at whose request he is summoned to pay hi same, either by attachment from the court out of which the *subpœnas* issue, or by warrant, bef justice of the peace, if under five pounds current money; and the chancellor may compel the p against whom he shall determine on the caveat, to pay all the expences of issuing any *subpœnas* of the witnesses; (b) and the chancellor may, by rule, direct any deposition to be taken and rec

(b) By 1797, ch. 114, the chancellor has power, (as in the court of chancery,) at his discretion, to award costs to th prevailing on the decision of any caveat in the land-office.

ſilence before him, on the hearing any caveat, provided reaſonable notice in ſuch order be given the other party. CHAP. XXXVIII.

CHAP. XXXIX.

AN ACT for the ſpeedy application of the monies appropriated for repairing the ſtreets in Baltimore-town, in Baltimore county, and for other purpoſes. Lib. TBH. No. A. fol. 183. Paſſed 15th of June, 1782.

This act was to continue for five years, &c. Continued by November, 1787, ch. 38, for ſeven years, &c. by 1795, ch. 83, 30th January, 1798. Expired. Revived and continued (where not altered by other acts,) by 1798, ch. 10, to the end of the ſeſſion, and all acts done under it confirmed. Expired.

CHAP. XL.

AN ACT relating to the fines to be impoſed on jurymen, witneſſes and conſtables. Lib. TBH. No. A. fol. 184.

BE IT ENACTED, *by the General Aſſembly of Maryland*, That in all caſes in which jurors or witneſſes ſhall be ſummoned to appear at the general court, and ſhall, without ſufficient excuſe, neglect to appear, the general court may fine every ſuch delinquent not exceeding thirty-five pounds current money; and whenever any jurors or witneſſes ſhall be ſummoned to attend any county court, and ſhall, without ſufficient excuſe, neglect to appear, every ſuch delinquent may be fined by the ſaid court not exceeding twenty pounds current money. Fine on jurors, &c.

AND BE IT ENACTED, That whenever any perſon ſhall be appointed a conſtable by any court, and ſhall neglect to act according to ſuch appointment, and ſhall not, within five days after notice of ſuch appointment, qualify as conſtable, or within that time find a ſufficient and proper perſon to qualify and act in his ſtead, he ſhall be fined by the ſaid court not exceeding ten pounds current money. On conſtables, &c.

This act to continue and be in force three years, and until the end of the next ſeſſion of aſſembly which ſhall happen thereafter. Duration.

Continued by 1785, ch. 77, for ſeven years, &c. and by November, 1792, ch. 77, to 30th October, 1799, &c.

CHAP. XLI.

AN ACT for laying off and clearing a main road from Elizabeth-town, in Waſhington county, through Charlton's gap in the South Mountain, on a ſtreight line, till it interſects the road leading from Frederick-town to York-town, in Pennſylvania. Lib. TBH. No. A. fol. 184.

WHEREAS it is repreſented to this general aſſembly, by the petition of ſundry inhabitants of Waſhington and Frederick counties, that they have diſcovered a good waggon road can be from Elizabeth-town, in Waſhington county, through Charlton's gap in the South Mountain, if opened and extended, would facilitate the carriage of produce from the ſaid port of Waſh- and port of Cumberland county, in Pennſylvania, and the county over the Allegany mountains to Baltimore-town, by which means the ſubjects of this ſtate would be better enabled to pay their taxes, and would increaſe the trade of the ſtate in general; Preamble.

BE IT ENACTED, *by the General Aſſembly of Maryland*, That Daniel Hughes, Alexander Clagett and James Walling, of Waſhington county, are appointed commiſſioners, and are hereby authoriſed to lay off a main road, forty feet wide, from Elizabeth-town, in Waſhington county, through Charlton's gap, the neareſt and beſt way toward Baltimore-town, on as ſtreight a line as the nature of the ground will admit of, and doing no unneceſſary damage to the property of individuals; and that Thomas Harman, Richard Lilley and William Wincheſter, junior, or any two of them, are hereby appointed commiſſioners of the road on the eaſt ſide of the South Mountain, to continue the ſaid road through Charlton's gap towards Baltimore-town, from the eaſt ſide of the South Mountain, on a ſtreight line, the neareſt and beſt that can be had, till it interſects the road leading from Frederick-town to York-town, in Pennſylvania. Commiſſioners appointed, &c.

AND BE IT ENACTED, That at any time after the ſaid commiſſioners have laid off and marked the intended road, they are hereby further empowered to call on the overſeers of the reſpective roads through which the ſaid road may run, to warn the inhabitants to attend one day in each year, on ſuch part of the ſaid road as the commiſſioners may direct, until the ſame be made complete, To call on overſeers, &c.

CHAP. XLI.

plete, of which eight days notice ſhall be given; and in caſe the ſaid overſeer ſhould negl refuſe ſo to warn the inhabitants of his hundred, to pay three pounds currency for each r and any inhabitant refuſing to attend and render ſuch ſervice as is required by the overſeer road, to be fined ſeven ſhillings and ſix-pence current money, to be recovered before a ſingle trate.

Overſeer to make return, &c.

IV. AND BE IT ENACTED, That the overſeer having the direction of ſaid road ſhall mak gular return to the commiſſioners of their diſtrict, who are hereby empowered to give a certifi the days each perſon has worked on opening ſaid road, which certificate ſhall exempt them f many days attendance on muſters, and the lieutenant of the county or field-officers of their ba ſhall receive the ſame, and excuſe them accordingly.

Satisfaction to be made, &c.

V. AND BE IT ENACTED, That ſatisfaction ſhall be made to every perſon through whoſe la ſaid road may run, for the damages done to ſuch perſon by running the ſaid road through their and if the commiſſioners and the party through whoſe land the ſaid road may run can agree up ſum to be paid to ſuch perſon, the ſaid commiſſioners ſhall have power ſo to do, and ſhall make tificate thereof to the juſtices of the county where the land lies; and if the ſaid commiſſione the party damaged cannot agree upon the *quantum* of damage, the ſaid commiſſioners ſhall ſu three reputable freeholders, who are in no manner intereſted in paying any part of ſuch damag ſhall, on oath, aſcertain the damage ſuſtained by the party by running the ſaid road through hi and ſhall certify the damage to the ſaid commiſſioners, who ſhall tranſmit the ſame, with certi by them given as aforeſaid, to the juſtices of the county court, which certificate the juſtices county where the land lies ſhall receive, and aſſeſs the amount of ſaid damages equally on the bitants of the different hundreds through which the ſaid road may run, or may receive adv therefrom, and give the perſon an order on the collector for the ſame when collected.

How fines are to be paid, &c.

VI. AND BE IT ENACTED, That the fines ariſing from the non-compliance of this act ſhall b into the hands of the commiſſioners, who are hereby ordered to lay out the ſame on the mou and that the ſaid road, when opened, ſhall be and is hereby deemed a public road, and ſhall paired as ſuch from time to time.

Commiſſioners to call on ſuperviſors, &c.

VII. AND BE IT ENACTED, That the aforeſaid commiſſioners ſhall have full power and aut to call on Meſſieurs Norman Bruce, Benjamin Ogle and David Shriver, the ſuperviſors for cl the roads, appointed by an act of aſſembly, entitled, An act relating to public roads, paſſed ſeſſion, ſeventeen hundred and ſeventy-four, * for the money they received to clear a road fro Catoctin Mountain through Pipe-creek ſettlement to Baltimore-town, and apply the ſame to cl the road over the aforeſaid mountain to the York road; and in caſe the money ſhould be mor is neceſſary to clear the road over the aforeſaid mountain to the York road, then the commiſ ſhall have full power to expend the remainder of the money in continuing the ſaid road toward timore-town; and if the ſuperviſors have paid the money to the juſtices of Frederick county or any part thereof into the treaſury, in either caſe the commiſſioners under this act may ha power to call on the juſtices of the ſaid county court, or any other perſon or perſons, other th treaſurer, for the monies received, or any part thereof that may be paid into the treaſury by the ſuperviſors, or recover the ſame by a due courſe of law.

* Chapter 21.

Two may act, &c.

VIII. AND BE IT ENACTED, That any two or more of the commiſſioners appointed by this either county, may execute the ſame, and ſhall receive all monies or donations that may be gi ſubſcribed by any perſon or perſons whatſoever, for the laying out, clearing and making th road, which monies, when received, the commiſſioners ſhall apply for ſaid purpoſe; and the courts ſhall have power and authority to call on the commiſſioners of their reſpective counties expenditure of the monies they may receive for clearing the ſaid road.

CHAP. XLII.

Paſſed 15th of June, 1782.

An ACT relating to forfeited recognizances, fines and forfeit and judgments in treaſon. Lib. TBH. No. A. fol. 186.

Governor, &c. may remit recognizances, &c.

BE IT ENACTED, *by the General Aſſembly of Maryland*, That the governor, with the advice council, may remit the whole or any part of any recognizance which hath been or may after be forfeited, provided the caſe of the perſon be ſtated in writing by the court before whom recognizance hath been or may hereafter be forfeited, and a recommendation be made for a re of the whole or ſome part of the recognizance by one or more of the judges of the general cou

or more of the juſtices of the county court; and the governor and council, or ſuch of them as mit ſuch recognizance, or any part thereof, ſhall cauſe the caſe of the party to be entered at on the proceedings of the council, and ſhall ſubſcribe their names thereto. CHAP. XLII.

AND BE IT ENACTED, That where any execution hath iſſued, or ſhall hereafter iſſue, on any ed recognizance, againſt any perſon for not appearing according to the tenor of the recogni- it ſhall and may be lawful for ſuch perſon, on the return of the execution, to appear, and in diſcharge thereof any plea which would have been good and ſufficient upon a *ſcire facias* on id recognizance, if a *ſcire facias* had been iſſued, and upon ſuch plea being determined in favour perſon pleading the ſame, he ſhall be diſcharged from the ſaid forfeiture; and any court, from execution ſhall iſſue on any recognizance forfeited for not attending as a witneſs in any caſe apital, may, upon motion, and good and ſufficient cauſe fully ſhewn by ſuch perſon, diſcharge rom the execution, upon ſuch terms as the court ſhall think fit and proper; provided that ſuch ſhall not be diſcharged from ſuch execution until the trial of the plea, unleſs he ſhall pay and the execution, or give bond payable to the ſtate before the ſheriff, or enter into recognizance rt, with one good and ſufficient ſecurity, in double the forfeiture and coſts due upon ſuch exe- , conditioned to appear and plead in diſcharge of the ſaid execution, and to abide by and fulfil dgment of the court thereupon. Perſons may appear and plead, &c.

AND BE IT ENACTED, That the governor, with the advice of the council, be authoriſed to the whole or any part of any fine, penalty or forfeiture, heretofore impoſed, or hereafter to be ed, in any court of law; provided, if the fine, penalty or forfeiture, be certain, and not in the tion of the court, that the caſe of the perſon be ſtated in writing by the court before whom fine, penalty or forfeiture, ſhall be impoſed, and a recommendation be made for a remiſſion of hole or ſome part thereof, by one or more of the judges of the general court, or three or more juſtices of the county court; and the governor and council, or ſuch of them as ſhall remit fine, penalty or forfeiture, or any part thereof, ſhall cauſe the caſe of the party to be entered rge on the proceedings of the council, and ſhall ſubſcribe their names thereto. Governor may remit fines, &c.

AND BE IT ENACTED, That no *nolle proſequi* ſhall be granted by the governor, in caſe of any cution by preſentment or indictment, for the recovery of any fine, penalty, or forfeiture only. Not to grant *nolle proſequi*, &c.

AND BE IT ENACTED, That the governor, with the advice of the council, be authoriſed to re- the whole or any part of any fine heretofore impoſed, or hereafter to be impoſed, by any militia t-martial, provided the caſe and reaſons for remiſſion be ſtated and ſigned by the perſons grant- he ſame. May remit fines, &c.

AND BE IT ENACTED AND DECLARED, That on conviction for treaſon, the judgment ſhall be ffer death by hanging only, and the circumſtance of cruelty in the judgment by the law of Eng- ſhall be omitted, and the judgment as to forfeiture of property ſhall be as heretofore. Part of judgement omitted, &c.

CHAP. XLIII.

ACT to empower Robert Dick to ſettle and collect the debts due to David Dalzell, George ſwald and company, and Oſwald, Denniſton and company, or either of them, and to apply the me. Lib. TBH. No. A. fol. 187. A Private Act. Paſſed 15th of June, 1782.

CHAP. XLIV.

ACT to make partition between this ſtate and Thomas Ruſſell, of Cæcil county, of the proper- which formerly belonged to the company denominated the Principio Company. Lib. TBH. o. A. fol. 188.

CHAP. XLV.

ACT to empower Frank Leeke, of Prince-George's county, to ſettle and collect the debts due Thomas Philpot, of London, merchant, and to apply the ſame. Lib. TBH. No. A. fol. 189. Private Act.

CHAP. XLVI.

ACT to empower Thomas Contee to ſettle and collect the debts due to William Molleſon, and illiam and Robert Molleſon, or either of them, and to apply the ſame. Lib. TBH. No. A. l. 190. A Private Act.

CHAP. XLVII.

ACT for the relief of John Briſcoe. Lib. TBH. No. A. fol. 192. A Private Act.

CHAP. XLVIII.

Paſſed 15th of June, 1782.

An ACT to authoriſe the United States in congreſs aſſembled to impoſe and levy a duty of five *centum* on imported foreign goods, and on all prizes and prize goods, for the payment of the contracted by congreſs during the war. Lib. TBH. No. A. fol. 193.

This law was not to be in force before all the United States ſhould paſs laws veſting the congreſs with power to impose levy the ſaid duty, which was not done.

CHAP. XLIX.

An ACT in favour of the natural ſon of captain Edward Edgerly. Lib. TBH. No. A. fol. A Private Act.

CHAP. L.

An ACT to repeal certain duties. Lib. TBH. No. A. fol. 194.

CHAP. LI.

An ACT to increaſe the allowance to jurymen attending the general court. Lib. TBH. N fol. 195.

To continue until the end of the next ſeſſion. Expired.

CHAP. LII.

An ACT to veſt in Samuel Chaſe and Allen Quynn, Eſquires, and their heirs, in truſt, and f uſes therein mentioned, the theatre in the city of Annapolis. Lib. TBH. No. A. fol. 19 Private Act.

CHAP. LIII.

An ACT to empower Catharine Woolſey to ſell the real eſtate of George Woolſey, her lat band, for the purpoſes therein mentioned. Lib. TBH. No. A. fol. 196. A Private Act.

CHAP. LIV.

An additional ſupplement to the act (a) to raiſe the ſupplies for the ſeventeen hundred and eighty-two. Lib. TBH. No. A. fol.

(a) November, 1781, ch. 4.

Rate reduced, &c.

BE IT ENACTED, *by the General Aſſembly of Maryland*, That the rate or aſſeſſment of forty-fiv lings current money, laid and impoſed for every hundred pounds worth of property withi ſtate by the act to raiſe the ſupplies for the preſent year, paſſed at laſt November ſeſſion, ſh abated and reduced to the ſum of thirty ſhillings current money, which ſhall be paid, collecte levied, in the manner directed by this act.

Part to be paid in gold, &c.

II. AND BE IT ENACTED, That five ſhillings current money, part of the ſaid thirty ſhillings be paid in foreign gold or ſilver coin, at the rates eſtabliſhed by the act of laſt November ſeſſi in continental bank notes, on or before the firſt day of Auguſt next, and, if not paid by tha the collectors, and their deputies, immediately thereafter, ſhall collect and levy the ſame by d and ſale, or by execution of the perſon, in the manner as they were authoriſed and directed to c the rate of forty-five ſhillings by the act aforeſaid; and the ſaid collectors ſhall, from time to tranſmit the money by them received, without any deduction for collection, to the treaſurer ſhore, and ſhall not keep any large ſum in their hands at any one time; and the commiſſioners tax of their county are required to call on them to diſcloſe their receipt or collection of the money, and to direct them conſtantly to pay, as far as collected, to the treaſurer of their ſhore the treaſurer of the eaſtern ſhore is hereby directed to tranſmit, from time to time, any money to him by the collectors of his ſhore, to the treaſurer of the weſtern ſhore, who ſhall ſend the as paid to him to the continental treaſury, or pay the ſame to the order of congreſs.

The part of this act directing the treaſurer to ſend the money to the continental treaſury was repealed by April, 1783, ch

Part in ſpecifics, &c.

III. AND BE IT ENACTED, That twelve ſhillings and ſix-pence current money, part of th thirty ſhillings, ſhall be paid or diſcharged by ſpecifics, in tobacco, wheat flour, wheat, beef hoof, barrelled pork, bar iron, or in bills of credit, at the prices allowed and value expreſſ the act to raiſe the ſupplies for the preſent year, on or before the twentieth day of Auguſt next if not paid by that day, the ſeveral collectors and their deputies ſhall, immediately thereafter ceed to collect and levy the ſame by diſtreſs and ſale, or execution of the perſon, as directed b ſaid act.

Reſidue in ſame manner.

IV. AND BE IT ENACTED, That twelve ſhillings and ſix-pence current money, the reſidue ſaid thirty ſhillings, ſhall be paid or diſcharged by ſpecifics, or bills of credit, as aforeſaid,

the first day of November next; and, on default, the same shall be levied by the collectors in r aforesaid.

A fair account to be rendered, &c.

AND BE IT ENACTED, That each of the said collectors shall render to the commissioners of x of his county an accurate and fair account of his collection of the said five shillings, and e shillings and six-pence, on the twentieth day of September next, under the penalty of two d pounds current money; and each of the commissioners shall attend on the said day, (unless ted by sickness or other unavoidable accident,) under the penalty of twenty pounds current ; and the said commissioners shall adjust his account, charging him as he received or ought to received the said five shillings and twelve shillings and six-pence; and the said commissioners not allow the collector any deduction of any part of the sums mentioned in the certificates of ent, except only in such cases where it shall fully appear to them that he has used all lawful for the collecting and levying the same; two copies of which account, so adjusted, with a cer- e of the balance thereof, shall be signed by the said commissioners, and, on or before the twen- h day of September next, delivered to the sheriff of their respective counties, endorsed on the service, to be by him forwarded as a public letter to the clerk of the house of delegates, and treasurer of his shore; and every collector shall pay to the treasurer of his shore, on or before st day of October next, the whole balance of his account adjusted by the commissioners; and failure in payment by any collector, the treasurer of his shore shall, on or before the tenth day tober next, obtain a copy of his bond, and file the same in the general court, and thereupon cias shall issue against such collector and his securities, in the same manner as on bonds to the fice, and similar proceedings shall be had to compel payment of the money, with an interest of r cent. from the first day of October next; and each of the said collectors shall settle his final t of the twelve shillings and six-pence, payable as aforesaid on the first day of November next, e fifth day of December next, and shall pay the balance thereof by the twentieth of the said of December, in the same manner and under the like penalty as before directed, and on de- in payment the same proceedings shall be had on his bond as are before mentioned; and the ssioners of the tax of his county are hereby directed to adjust and transmit the said second ac- in the same manner as they are directed as to the first, on or before the first day of January next.

Collector's commission.

AND BE IT ENACTED, That the collector shall be allowed a commission of four *per cent.* on llection of the first payment of five shillings, payable in bills of credit of the last emission at r in tobacco or wheat at the prices allowed on payment of taxes, and the commission on the ion of the other two payments of twenty-five shillings shall remain as allowed by the act to he supplies for the present year.

Money, &c. appropriated, &c.

AND BE IT ENACTED, That so much of the money and specific articles collected in virtue of cond payment of twelve shillings and six-pence as may be necessary, shall be first appropriated discharge of one year's interest on certificates, adjusted agreeable to the act relating to public rs; and if a sum of specie should not be received in discharge of the said second and third nts sufficient to pay one year's interest on such certificates, that the intendant of the revenue ted to sell for specie as much tobacco, wheat or flour, as will produce money to pay the said d.

Persons having paid to have credit, &c.

AND BE IT ENACTED, That if any person has paid, or may before notice of this law pay, enty-two shillings and six-pence, one half part of the assessment imposed by the act to raise the s for the present year, and required to be paid by the said act on or before the first day of the present year, such person shall have credit therefor, and be liable to pay two shillings and ce on or before the first day of November next, and shall not be chargeable for any other tax ue of the said act, or this present act, except for the five shillings in specie, payable on or the first day of August next.

Collector to return overplus, &c.

AND BE IT ENACTED, That if any person has, in consequence of the said act, paid above y-five shillings in the hundred pounds, or the same shall pay before notice of this act, such per- all have returned to him, by the collector who received the same, whatever he has paid above y-five shillings in the hundred pound, in the article or articles by him paid, and such person not be liable to pay any sum in virtue of this act, except five shillings gold and silver in the d pounds as aforesaid.

Intendant to sell tobacco, &c.

AND BE IT ENACTED, That the intendant of the revenue be directed to sell, on the best terms procure, as much tobacco, wheat flour or wheat, now on hand, or to be received on or before

CHAP. LIV.

the twentieth day of September next, as will procure fifty thouſand pounds in ſpecie, or conti bank notes, and to tranſmit the ſame to the treaſury of the United States, or pay the ſame order of congreſs; and the ſaid intendant may alſo borrow ſpecie, or continental bank note exceeding thirty thouſand pounds ſpecie, and pledge the tax of five ſhillings for payment.

Reward to owners of mills, &c.

XI. AND BE IT ENACTED, That the reward to the owner of every mill, for receiving any hereafter delivered in diſcharge of taxes, and for grinding, bolting, packing, keeping and pre the ſame for any time not exceeding two months, ſhall be one tenth of every buſhel of wheat g bolted, packed, and kept for the time aforeſaid.

CHAP. LV.

Paſſed 15th of June, 1782.

An ACT to prevent ſuits on certain debts for a limitted time. TBH. No. A. fol. 200.

Suits not to be commenced, &c.

BE IT ENACTED, *by the General Aſſembly of Maryland*, That no action or ſuit ſhall be commen proſecuted by any creditor againſt his debtor, for any debt, promiſe, contract or agre created or made before the firſt day of September, ſeventeen hundred and ſeventy-ſix, or b that day and the twelfth day of June, ſeventeen hundred and eighty, for gold, ſilver or ſt before the firſt day of January, ſeventeen hundred and eighty-four, unleſs the debtor ſhall re neglect to pay the intereſt due or which ſhall become due annually on ſuch debt, in gold or ſil in bills of credit, agreeably to an act for calling out of circulation the quota of this ſtate of t of credit iſſued by congreſs, and the bills of credit emitted by acts of aſſembly under the old g ment, and by the reſolves of convention, in thirty days after demand made, or hath remo ſhall be about to remove, himſelf or his effects out of this ſtate, or ſhall refuſe, on requeſt of h ditor, to renew his obligation, promiſe, contract or agreement, and with ſecurity, if require the court, before whom any ſuch action or ſuit hath been or ſhall be brought, ſhall inquire i fact, and, *ex officio*, order ſuch action or ſuit to be diſcontinued, if proſecuted contrary to th provided, that this act ſhall not extend to any action or ſuit commenced or proſecuted, at la equity, againſt any guardian, executor, adminiſtrator or truſtee.

Proviſo.

II. PROVIDED ALSO, AND BE IT ENACTED, That if any debtor has for ſale any wheat, corn, oats, tobacco, pork, ſtock of any kind, ſlaves or land, and his creditor or creditors receive any of the articles above mentioned, in diſcharge of ſuch debt, promiſe, contract or ment, at the real value of ſuch enumerated articles, which valuation ſhall be aſcertained by a or more of the commiſſioners of the tax for the county where ſuch debtor reſides, and if ſuch ſhall refuſe to diſcharge his or her debt with any of the aforeſaid articles, having ſuch for ſa making ſale of any of the aforeſaid articles to any other perſon than his or her creditor, aft offer made as aforeſaid, (except ſo much as may be neceſſary to pay taxes or procure him or h neceſſaries of life,) that in all ſuch caſes the creditor of ſuch debtor ſhall be at full liberty t mence or proſecute his or her ſuit or ſuits.

Debtor to give bond, &c.

III. AND BE IT ENACTED, That for all debts on open accounts, or promiſſory notes, cre made before the firſt day of September, ſeventeen hundred and ſeventy-ſix, the debtor ſhall b pelled to give bond and ſecurity, including intereſt, to commence on ſuch account or promiſſor at the expiration of twelve months after the ſame was created or made, or pay the intereſt i rent money, bills of credit as aforeſaid, or any of the above enumerated articles, at his or her and give bond and ſecurity for the principal; and in caſe any debtor ſhall refuſe to comply w terms aforeſaid, the creditor may bring ſuit, notwithſtanding this act.

Actions not to be commenced, &c.

IV. AND, whereas many debtors may have renewed their obligations or contracts for debts miſes aforeſaid, created or made within the time aforeſaid, BE IT ENACTED, That no action ſhall be commenced or proſecuted on any ſuch renewed obligation or promiſe within the time ſaid, unleſs the debtor ſhall refuſe or neglect to pay the intereſt in manner aforeſaid, or h moved, or ſhall be about to remove, himſelf or his effects out of the ſtate; and the court ſ *officio*, inquire into ſuch action or ſuit, and diſcontinue the ſame, if proſecuted contrary to thi

Time not to be taken, &c.

V. AND BE IT ENACTED, That the time between the paſſing this act and the firſt day of J ſeventeen hundred and eighty-four, ſhall not be taken as part of the time limitted by law for cuting ſuits; and if any defendant ſhall plead the act of limitations, the plaintiff may, on the replication, give this act and the ſpecial matter in evidence, without ſpecially pleading the ſa

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CHAP. LVI.

ACT for veſting an eſtate for life in Ariana Kennedy, and an eſtate in fee-ſimple in John Lynch Passed 15th of June, 1782.
d Mary his wife, in the property therein mentioned. Lib. TBH. No. A. fol. 201. A Pri-
te Act.

CHAP. LVII.

ACT to empower George Gray to ſell the lots and houſes in Port-Tobacco, formerly belonging
James Jamieſon, and confiſcated by this ſtate, and to collect the debts due to the ſaid James Ja-
ſon, and Jamieſon, Johnſon and company, and to apply the ſame as far as his claim extends.
. TBH. No. A. fol. 202. A Private Act.

CHAP. LVIII.

pplement to the act, entitled, (a) An act to raiſe recruits. Lib. TBH. No. A. fol. 204.

(a) November, 1781, ch. 28.

CHAP. LIX.

ACT for the ſale of certain confiſcated Britiſh property. Lib. TBH. No. A. fol. 207.

For the purpoſe of ſupplying congreſs.

CHAP. LX.

ACT reſpecting claims to confiſcated Britiſh property, and to direct the commiſſioners in certain caſes. Lib. TBH. No. A. fol. 209.

E IT ENACTED, *by the General Aſſembly of Maryland*, That in all caſes where the commiſſioners have taken into poſſeſſion real or perſonal property, ſuppoſing the ſame to be the property of the ſtate, Claims to be delivered by March, &c.
y perſon claiming any right or intereſt in the ſame, ſhall deliver to the commiſſioners his claim in
ing, on or before the firſt day of March, ſeventeen hundred and eighty-three; and every perſon
has already put in any claim to ſuch property taken into poſſeſſion by the commiſſioners, ſhall
ecute his action for the recovery of the ſame on or before the ſaid firſt day of March, ſeventeen
ired and eighty-three.

I. AND BE IT ENACTED, That in all caſes where the commiſſioners ſhall hereafter take into poſ- Hereafter in one year, &c.
n real or perſonal property ſuppoſed to belong to the ſtate, every perſon claiming any right or
reſt in the ſame, ſhall deliver to the commiſſioners in writing his claim to the ſaid property with-
ne year after the commiſſioners ſhall take the ſaid property into their poſſeſſion, and ſhall com-
ce and proſecute his action within ſix months thereafter; all which actions ſhall be brought
inſt the ſtate as defendant, by iſſuing a ſummons in perſonal actions, directed to the commiſſioners,
ny one of them, or to the attorney-general, and ſending with ſuch ſummons a ſhort note ex-
ſing the cauſe of action, and in ejectments, by ſending a copy, to be delivered to either of the
miſſioners, or to the attorney-general.

II. AND BE IT ENACTED, That every perſon who ſhall neglect to deliver in his claim as aforeſaid, Perſons neglecting barred, &c.
who ſhall neglect to proſecute his action as above provided, ſhall for ever be barred of all his right
intereſt in ſuch property ſo taken into poſſeſſion by the commiſſioners, ſaving to infants, *feme-*
erts, perſons out of the ſtate, in priſon, or of unſound mind, their right for one year after diſabili-
removed.

IV. AND BE IT ENACTED, That in all caſes where the commiſſioners, upon examination, have Actions of trover may be proſecuted, &c.
ſon to believe that the ſtate is entitled to real or perſonal property in the poſſeſſion of any perſons
ming the ſame, they ſhall, for the recovery of perſonal property, proſecute in the general court,
in the county court if of ſmall value,) actions of trover or replevin, in the name of the ſtate, in
ich it ſhall be ſufficient to lay the property in the ſtate, and to give in evidence, that the things
which the ſuit is proſecuted were the property of ſome perſon whoſe eſtate is forfeited or confiſ-
ted, and that the ſtate is entitled to the ſame by forfeiture or confiſcation; and for the recovery of
l property, they ſhall in like manner proſecute an ejectment in the general court in the name of
ſtate, alleging the demiſe to have been made by the ſtate, in which it ſhall be ſufficient to prove
lands or tenements for which the ejectment is brought were the property of ſome perſon whoſe
ate is forfeited or confiſcated, and that the ſtate became entitled thereto by forfeiture or confiſca-
on; in all which actions, the cauſe of action ſhall be endorſed on, or a declaration ſent with, the
rit; and a trial in perſonal actions ſhall be had at the imparlance court, and in actions of ejectment
or

CHAP. LX.

or treſpaſs, at the third court, unleſs the judges ſhall be ſatisfied that there is a neceſſity for the tinuance of the cauſe, for the ſake of juſtice being done to the parties.

Bond not neceſſary, &c.

V. AND BE IT ENACTED, That in caſe of replevin by the ſtate, no bond ſha'l be neceſſa obtaining ſuch writ; and the ſheriff may ſuffer the goods and chattels to remain in the poſſeſſ ſuch party, if he will give bond, with good and ſufficient ſecurity, to deliver the goods and cha in ſuch replevin mentioned, to the ſaid commiſſioners, if a delivery thereof ſhall be adjudged, o return of ſuch replevin, or upon the trial thereof, and ſhall pay all damages and coſts for judgment ſhall be given in ſuch replevin; and every ſheriff, taking ſuch bond, ſhall be liable fo value of the goods and chattels, damages and coſts, aforeſaid, in caſe of inſufficiency of the p pal and ſecurities to comply with the terms of the bond aforeſaid; and the court before whom replevin ſhall be returned may, at the return court, inquire whether the defendant, againſt ſuch replevin ſhall iſſue, came to the poſſeſſion of the goods and chattels in ſuch replevin ment fairly, by gift, purchaſe or otherwiſe, or by fraud, deceit, colluſion or force; and if the court be of opinion that ſuch defendant came by the poſſeſſion of ſuch goods and chattels fairly, the court ſhall order that the ſaid goods and chattels remain in the hands of the defendant, in caſe bond has by him been given as aforeſaid, until the property of ſuch goods and chattels ſhall be d mined; and in caſe no bond has been given, and the commiſſioners have taken poſſeſſion of the and chattels, and the court, on the return of ſuch replevin, ſhall, upon inquiry, be of opinion the perſon againſt whom ſuch replevin ſhall iſſue came fairly by the poſſeſſion of the goods and tels aforeſaid, a return of ſuch goods and chattels ſhall be ordered to the defendant, upon his e ing into recognizance, with ſecurity, to abide by and perform the judgment of the court upo trial of ſuch replevin; but in caſe the court, on the return of ſuch replevin, ſhall, upon inquir of opinion that the defendant in ſuch replevin came to the poſſeſſion of the goods and chattels t in mentioned by deceit, fraud, colluſion or force, then the court may order the goods and ch to be delivered to the commiſſioners, where the goods and chattels have been ſuffered to rema the poſſeſſion of the defendant, in conſequence of giving bond as aforeſaid; and in caſe the and chattels have been delivered to the commiſſioners, and the court ſhall be of opinion, on th turn of the replevin, that the defendant came to the poſſeſſion of the goods and chattels th mentioned by deceit, fraud, colluſion or force, a return of ſuch goods and chattels ſhall not b dered to ſuch defendant, but the ſame ſhall remain in the poſſeſſion of the commiſſioners, until a of the property ſhall be had, and judgment thereon given.

Purchaſes confirmed, &c.

VI. AND BE IT ENACTED, That the purchaſes of Britiſh confiſcated property, heretofore mad or on behalf of the commiſſioners appointed to preſerve and ſell the ſaid property, ſhall be and hereby confirmed; and the ſale of the land late of Anthony Richardſon, lying in Caroline cou to Henry Dickinſon, ſhall be and is hereby confirmed, as if made by any other perſon.

Bills in chancery may be filed, &c.

VII. AND BE IT ENACTED, That the commiſſioners aforeſaid, in caſe they ſhall have good re to believe that the ſtate is entitled to the equity of redemption of any property mortgaged for than the value by any Britiſh ſubject whoſe eſtate is confiſcated, or that any property hath mortgaged to any ſuch Britiſh ſubject, the ſaid commiſſioners ſhall file a bill in chancery, for redemption upon, or foreclоſure of, ſuch mortgage, and ſuch proceedings ſhall be had thereon as are u in ſuch caſes, and a decree ſhall be made as ſoon as can be with juſtice to the ſtate and the party

Commiſſioners may compromiſe, &c.

VIII. AND BE IT ENACTED, That in any claim, action or ſuit, at law or in equity, made or bro by the commiſſioners aforeſaid, for or on behalf of the ſtate, againſt any perſon who claims titl and has come fairly into the poſſeſſion of, the property, by gift, purchaſe or otherwiſe, and upon mortgage aforeſaid, made to or by any Britiſh ſubject aforeſaid, it ſhall and may be lawful for the commiſſioners to make and enter into ſuch compoſition, compromiſe or agreement, with the pe or perſons in poſſeſſion of ſuch property, or who are intereſted in ſuch mortgage, as the commiſſion upon conſideration of the circumſtances of the caſe, may think juſt and reaſonable; and if the tendant ſhall approve of ſuch compoſition, compromiſe or agreement, and upon a compliance the terms thereof by the party, the ſaid commiſſioners may transfer and releaſe to him the claim intereſt of the ſtate in ſuch property, and may give a final diſcharge of ſuch mortgage.

Perſons not complying may be ſued, &c.

IX. AND BE IT ENACTED, That where any perſon hath purchaſed, or ſhall hereafter purch public property of the ſaid commiſſioners, and ſhall not comply with the terms of ſale, by gi bond as required, or by non-payment at the time limitted, (and no proviſion hath been already m in ſuch caſes,) the ſaid commiſſioners may ſue ſuch purchaſer in their names, (endorſing on the that the action is brought for the uſe of the ſtate,) for the ſum due, and may declare for ſo m

y received to their uſe; and the defendant ſhall plead the general iſſue, and proceed to trial the ourt, unleſs the court are fully ſatisfied that juſtice requires a continuance of the cauſe, and the ſhall compel a trial as ſoon as the ſame can be had with juſtice to the party and the ſtate, and judgment, which ſhall be rendered for the whole purchaſe money, execution ſhall iſſue, from to time, for the recovery of the ſeveral payments, as they become due.

WHEREAS on the ſale of the White Marſh furnace, in Baltimore county, the commiſſioners who he ſame, to induce the purchaſer to agree to work and carry it on as a furnace, engaged to ſell he mine bank, on Patapſco river, in Anne-Arundel county, belonging to the ſtate, on payment e value thereof; BE IT ENACTED, That the ſaid commiſſioners may appoint three perſons of re- ion, and acquainted with the value of mine banks of iron ore, to value the ſame, at its actual , in current money; and if the ſaid commiſſioners approve of, and the purchaſer of the White furnace will give, ſuch valuation, the ſaid commiſſioners may ſell the ſame to him therefor, ke bond, with good ſecurity, for payment thereof, in ſuch proportions and at ſuch days as they gree; and the ſaid commiſſioners may alſo appoint the ſame, or other perſons, to value the of the right of the ſtate to dig iron ore in the land of the late Benjamin Howard, and they may e ſame at the valuation, if they approve thereof, to the purchaſer of the White Marſh furnace, ke bond for the money as above.

Mine bank to be valued, &c.

AND BE IT ENACTED, That the ſaid commiſſioners be directed not to ſell any more of the rty pledged for the redemption of the laſt emiſſion, except negroes, ſtock, and other periſhable s, which they may ſell for current money, one third thereof to be paid in three months, one third in ſix months, and the reſidue in twelve months from the ſale, and bond with ſecurity e taken for payment; and the money ariſing from ſuch ſales, and the bonds given therefor, e ſubject to the future diſpoſal of the general aſſembly.

Certain property not to be ſold, &c.

CHAP. LXI.

CT for the payment of the journal of accounts. Lib. TBH. No. A. fol. 212.

Paſſed 15th of June, 1782.

CHAP. LXII.

CT to furniſh the ſouthern army with twenty dragoon horſes. Lib. TBH. No. A. fol. 212.

SESSION of the GENERAL ASSEMBLY of MARYLAND, egun and held at the CITY of ANNAPOLIS, on Monday, the th of November, in the year of our Lord 1782, and ended the 5th day of January, 1783, the following laws were enacted.

WILLIAM PACA, ESQUIRE, GOVERNOR.

CHAP. I.

CT for the relief of Robert Milligan, of Cæcil county. Lib. TBH. No. A. fol. 215.

Paſſed 15th of Jan. 1783.

CHAP. II.

CT for the relief of Thomas White and John White, of Dorcheſter county. Lib. TBH. No. fol. 215. A Private Act.

CHAP. III.

CT for the relief of Abraham Nevifon, of St. Mary's county. Lib. TBH. No. A. fol. 217. rivate Act.

CHAP. IV.

CT to prevent the raiſing of geeſe and ſwine in Elizabeth-town, in Waſhington county, ard-town, in Saint-Mary's county, and Charles-town, in Charles county. Lib. TBH. No. fol. 218.

CHAP.

CHAP. V.

Passed 15th of Jan. 1783.

An ACT allowing a longer time to compound on old certific Lib. TBH. No. A. fol. 218.

Time for compounding, &c.

BE IT ENACTED, *by the General Aſſembly of Maryland*, That all perſons having ſurveys mad fore the firſt day of March, ſeventeen hundred and ſeventy-ſeven, or having ſurveys ſince by virtue of warrants granted before that time, may compound thereon on or before the firſt July next, after which day warrants may iſſue to affect the land not paid for before that day, perſon who ſhall firſt apply for the ſame.

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II. PROVIDED ALWAYS, That no warrant ſhall iſſue to affect any ſurvey not compounded on in the time aforeſaid limitted, if the certificate has been loſt or miſlaid, or erroneous, or whe owner is an infant, or caveat remains in force againſt iſſuing grant, or default in payment h been owing to the neglect of the owner, without the expreſs licence of the chancellor; and owner ſhall neglect to compound on ſuch certificates, he may, at any time before applicatio warrant to affect ſuch land, obtain a grant, on paying for ſurplus or vacant land the ſum of ſhillings and ſix-pence per acre, or for eſcheat lands two thirds of the actual value, and for im ments (if any) the full worth thereof, as in other caſes.

CHAP. VI.

An ACT to raiſe the ſupplies for the year ſeventeen hundred eighty-three. Lib. TBH. No. A. fol. 219.

Rate of aſſeſſment, &c.

FOR raiſing the neceſſary ſupplies for the enſuing year, BE IT ENACTED, *by the General A of Maryland*, That the rate or aſſeſſment of twenty-five ſhillings current money ſhall be hereby laid and impoſed for every hundred pounds worth of property within this ſtate, and ſame proportion for every greater or leſs ſum; and the ſaid rate or aſſeſſment ſhall be divide two parts, and ſhall be paid, collected and levied, in the manner herein after directed.

Proviſo.

II. PROVIDED, That all property belonging to this ſtate or the United States, or to any c county or pariſh, or to any public or county ſchool, all proviſions, (except live ſtock,) ne for the uſe and conſumption of the perſon to whom the ſame ſhall belong and his family year, plantation utenſils, the working tools of mechanics and manufacturers actually and con employed in their reſpective occupations, ready money, wearing apparel, and alſo the p property of any perſon who hath been or ſhall be drove from his habitation in either of the ſo ſtates by the enemy, if ſuch perſon ſhall have taken the oath of allegiance to the ſtate to wh did belong, and ſhall ſettle in this ſtate with the approbation of the governor and counci and are hereby excepted from any rate or aſſeſſment.

Proviſo.

III. AND PROVIDED ALSO, That if any perſon (who hath taken the oath of fidelity and ſupp this ſtate, and hath accordingly exerted himſelf in favour of the freedom and independence th ſhall be compelled by the enemy to leave his habitation, and be thereby rendered incapable to on his buſineſs or occupation, or hath, by means of the enemy, loſt his negroes, had his burned, or otherwiſe greatly ſuffered, the commiſſioners of the tax may, in their diſcretion, the collector to ſuſpend the collection of the aſſeſſment on the groſs valuation by the aſſeſſor property taken away or deſtroyed by the enemy, until the general aſſembly ſhall take order th and the commiſſioners are required to return to the general aſſembly a liſt of ſuch ſuſpenſions, a cauſes and proofs for which the ſame were made.

Commiſſioners to be appointed, &c.

IV. AND BE IT ENACTED, That five ſenſible, diſcreet and experienced perſons, ſhall be app in each county of this ſtate, who ſhall be called Commiſſioners of the Tax, and they, or an or more of them, ſhall be the commiſſioners for each county; provided, that no member of t neral aſſembly or the council, clergyman, practiſing attorney or phyſician, ſheriff, clerk of t neral or any county court, ordinary-keeper, mariner or inſpector, ſhall be appointed a comm or aſſeſſor.

Names of the commiſſioners.

V. AND BE IT ENACTED, That the following perſons ſhall be and are hereby appointed co oners for the ſeveral and reſpective counties of this ſtate, to wit: For Saint-Mary's county, M Ignatius Fenwick, Robert Watts, John Debutts, Jeremiah Jordan and Robert Cheſley; fo county, Meſſieurs James M'Lane, Robert Crookſhanks, William Granger, Nathaniel Comeg Oliver Smith; for Anne-Arundel county, Meſſieurs John Weems, Charles Wallace, John

m Hall and Edward Gaither, junior; for Calvert county, Meſſieurs Alexander Somerville, l Rawlings, Thomas Blake, Joſeph Wilkinſon and Thomas Mackall; for Charles county, Meſ- Joſias Hawkins, Richard Barnes, Robert Young, Thomas Harris and Henry Barnes; for Bal- e county, Meſſieurs Andrew Buchanan, Archibald Buchanan, John Moale, William Spear and Gittings; for Talbot county, Meſſieurs Thomas Sherwood, Howes Goldſborough, Samuel berlain, Peregrine Tilghman and Henry Banning; for Somerſet county, Meſſieurs John Adams, m Gilliſs, David Wilſon, John Winder and William Winder, junior; for Dorcheſter county, urs Robert Harriſon, Henry Hooper, Q. S. Joſeph Ennalls, John Goldſborough and James ne; for Cæcil county, Meſſieurs Samuel Gilpin, John Ward, Jeremiah Baker, Stephen Hyland William Matthews; for Prince-George's county, Meſſieurs William Beanes, William Bowie, niel Magruder, Edward Sprigg and John Contee; for Queen-Anne's county, Meſſieurs Aquila , Richard Tilghman, the fourth, Thomas Wright, Richard Tilghman Earle and John Brown; orceſter county, Meſſieurs Thomas Martin, John Selby, Thomas Purnell, of Thomas, William , Indian-town, and Samuel Handy; for Frederick county, Meſſieurs Upton Sheredine, Wil- Murdock Beall, John Adlum, Roger Johnſon and Thomas Hawkins; for Harford county, Meſ- Thomas Johnſon, John Rumſey, William Wilſon, James Bond, of Joſhua, and Abraham aker; for Caroline county, Meſſieurs Robert Poſtlethwaite, Philemon Downes, Matthew Dri- Philip Walker and Henry Downes; for Waſhington county, Meſſieurs Charles Swearingen, m Good, Joſeph Chapline, Alexander Clagett and Thomas Hart; for Montgomery county, urs Richard Brooke, Samuel Thomas, the third, Richard Wootton, William Holmes and as Cramphin.

Their oath.

. AND BE IT ENACTED, That every commiſſioner, appointed, (or to be appointed) in virtue of ct, ſhall, before he acts as ſuch, take the following oath, or affirmation if a quaker, menoniſt ker, to wit: "I, A. B. do ſwear, or ſolemnly, ſincerely and truly declare and affirm, that as miſſioner for ——— county, I will, to the beſt of my ſkill and judgment, execute the duties he ſaid office diligently and faithfully, according to the directions of the act to raiſe the ſup- s for the year ſeventeen hundred and eighty-three, without favour, affection or partiality, and I will do equal right and juſtice, according to the beſt of my knowledge, in every caſe in which all act as commiſſioner; ſo help me GOD."

Commiſſioners exempt, &c.

I. AND BE IT ENACTED, That every commiſſioner who ſhall take upon himſelf the execution s act ſhall, during the time he ſhall act as commiſſioner, be exempt from all military duty.

Penalty for refuſing to ſerve, &c.

II. AND BE IT ENACTED, That if any perſon appointed commiſſioner of the tax ſhall refuſe to not having a reaſonable excuſe in the judgment of the county court of his county, he ſhall for refuſal forfeit the ſum of two hundred pounds current money.

How vacancies are to be filled.

. AND BE IT ENACTED, That if any one or two of the commiſſioners for any of the counties ſaid ſhall die, refuſe, or be rendered incapable to act, a majority of the remaining commiſſioners appoint ſome other in the place of the perſon who ſhall die, refuſe, or be incapable to act; and three or more of the ſaid commiſſioners ſhall die, refuſe, or be incapable to act, the governor, the advice of the council, may appoint ſome perſon or perſons in his or their place, ſo as to up the number of three commiſſioners, and they ſhall fill up the remaining vacancies in manner ſaid.

Duty of commiſſioners.

. AND BE IT ENACTED, That the commiſſioners of the tax ſhall meet at the place where the y courts are uſually held in their reſpective counties, on the ſecond Monday in January, ſeven- hundred and eighty-three, or as ſoon thereafter as they may have notice of this act, and as often as ſhall be neceſſary; and the ſaid commiſſioners, at their ſaid meeting, ſhall appoint a clerk, alſo divide their ſeveral counties into diſtricts of not leſs than three, nor more than ten diſtricts y one county, and not leſs than two large, or three ſmall hundreds in any one diſtrict, accord- to the population and extent of the county, and ſhall appoint in each diſtrict one ſenſible and perſon, an inhabitant of their county, and having property therein to the value of five hun- pounds current money, to be aſſeſſor of the property in each diſtrict; and the ſaid commiſſioners enter in a book to be kept for that purpoſe, the name of the perſon appointed aſſeſſor in each ct, and ſhall immediately after ſuch choice appoint a place and day, not exceeding ten days after, (of which five days notice ſhall be given by ſome one of the commiſſioners to each aſ-) for the ſaid aſſeſſors to appear before them, and at their appearance the ſaid commiſſioners openly read, or cauſe to be read, ſuch parts of this act as relates to their duty, and ſhall adviſe in what manner to make their aſſeſſments, and in what form to return their certificates there-

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of, and how to perform the ſeveral duties required of them by this act, according to the true m thereof; and the ſaid commiſſioners ſhall alſo appoint a place and day, between the tenth and fif day of April next, for the ſaid aſſeſſors to appear, and bring in writing their ſeveral valuati property in their reſpective diſtricts.

Penalty on aſſeſſors for default, &c.

XI. AND BE IT ENACTED, That if any perſon appointed an aſſeſſor in virtue of this a make default, and not appear at the time appointed, or on his appearance ſhall refuſe to ſerv having in the judgment of the commiſſioners a reaſonable excuſe, or ſhall neglect to return commiſſioners certificates of his valuation of the property in his diſtrict, agreeable to this a the inſtructions given to him, he ſhall, for every ſuch default, refuſal or neglect, forfeit the fifty pounds current money; and if any perſon appointed an aſſeſſor ſhall not appear at the ti pointed, or ſhall appear and refuſe to ſerve, the ſaid commiſſioners ſhall appoint, by warrant their hands, ſome other perſon, qualified as aforeſaid, as an aſſeſſor, in the room of the perſon ſo default or refuſing to ſerve, and if ſuch perſon ſhall alſo make default, or refuſe to act, the proceed to a new appointment in like manner, and as often as neceſſary, until the vacancy plied; and if any aſſeſſor ſhall die before he ſhall have fully completed his valuation, the ſai miſſioners ſhall, by warrant under their hands, nominate ſome perſon, qualified as aforeſaid, aſſeſſor in the room of the aſſeſſor ſo dying.

Valuation of lands, &c.

XII. AND BE IT ENACTED, That all land in this ſtate, (with the houſes, buildings, and improvements thereon, at the time of valuation,) ſhall be eſtimated by ſome one of the ſaid a at its preſent actual worth in ready money, in coin, at the value aſcertained and made curr law, regarding all circumſtances and advantages of the land, from ſituation and convenie market, and what the ſame is capable of producing by the acre, in grain, tobacco or hay, a average current price of the produce in coin; and it is declared to be the duty of the ſaid aſſe pay particular attention, and take eſpecial care, that they eſtimate all the land in their co equal quality at the ſame price or rate, by comparing their ſeveral valuations before they m turn thereof to the commiſſioners of the tax, as directed by this act; and the clerk of the c ſioners of the tax for the ſeveral counties ſhall deliver to the ſaid aſſeſſors, on or before the f of February next, under the penalty of fifty pounds current money, a copy of the return of their county in the preſent year; and the ſaid aſſeſſors are hereby directed diligently to inquir all land patented in their county, and to take an accurate account of each tract, with the improvements thereon, and the particulars thereof, (and if time will permit view the ſame,) a deavour to aſcertain the true quantity thereof clear of elder ſurveys, and to learn its general and ſoil, and if to be obtained the quantity of arable, (fit for cultivation,) wooded and m land, in each tract or parcel of land, as owned or claimed; and the ſaid aſſeſſors may call owners or poſſeſſors of any tract or part of a tract to anſwer on oath or affirmation, to the their knowledge and belief, as to the quantity of acres held or claimed clear of elder ſurvey if any perſon ſhall refuſe to anſwer on oath or affirmation, he ſhall forfeit fifty pounds current for every refuſal or neglect; and each of the ſaid aſſeſſors ſhall return an account of all the his diſtrict to the commiſſioners of the tax, with his valuation thereof, on or before the fifteen of April next, in which account ſhall be expreſſed the name of the land, as mentioned in the or deed or acquired by reputation, and, if he can obtain information, whether an original reſurvey or eſcheat, and if either reſurvey or eſcheat, the name of the original ſurvey, a names of all the preſent owners or claimers of any whole tract or part thereof, and the na the lands, in alphabetical order, with the number of acres expreſſed in the grant or deed, a ſurplus or deficiency, if any; and he ſhall alſo expreſs in his return the ſeveral improvemen the particulars thereof, and, as far as he can procure information, the ſituation and general and ſoil of the land, and the quantity of arable, wooded and meadow land, in each tract or of land, as owned or claimed; and the ſaid aſſeſſors, before they proceed to value any land, ſ ſpectively take the following oath (or affirmation) to wit: "I, A. B. do ſwear (or ſolemnly, " ly and truly declare and affirm,) that I will faithfully, juſtly and impartially, value the " the diſtrict for which I am appointed in —— county, agreeable to the directions of the act " the ſupplies for the year ſeventeen hundred and eighty-three, according to its actual worth " for ready money, to the beſt of my ſkill and knowledge, and that I will ſpare no perſon for " or affection, nor any aggrieve for hatred, malice or ill will;" which oath, or affirmatio juſtice of the peace may adminiſter.

Perſons to give an account, &c.

XIII. AND, for the diſcovery of all land in the ſtate, granted to or ſurveyed for any perſ IT ENACTED, That every perſon owning or claiming land (or acting as guardian or truſtee infant owning or claiming land in this ſtate, and having the ſame in poſſeſſion,) ſhall, on or

enth day of March next, deliver to the commiſſioners of the tax of the county where ſuch land lie, an account of the land, and the name thereof, as expreſſed in the grant or deed, or acquired putation; and the number of acres, as mentioned in the grant, and the ſurplus and deficiency, , and the improvements thereon; and ſuch account ſhall be dated and ſigned by the perſon g the ſame; and if any owner of land ſhall wilfully omit to give in any land belonging to him, all be liable to pay double the value of the tax on ſuch land for the preſent year; and if any dian or truſtee, having poſſeſſion as aforeſaid, ſhall neglect to give in any land belonging to an , ſuch guardian or truſtee ſhall pay double the value of the tax on ſuch land for the preſent and the owner, guardian or truſtee, if required by the aſſeſſor, ſhall inform him, according to beſt of his knowledge and belief, of the general quality and ſoil of the land, and the quantity of , wooded and meadow land, and of the produce thereof by the acre, in grain, tobacco or hay.

Owners of ſlaves to give an account, &c.

V. AND, for the diſcovery of all ſlaves and their ages, BE IT ENACTED, That every perſon g any ſlave or ſlaves ſhall, on or before the tenth day of March next, deliver to the aſſeſſor of ſtrict in which ſuch ſlaves live, an account of all the ſlaves owned by him, with the name and of each, and ſuch account ſhall be dated and ſigned by the perſon making the ſame; and the r ſhall view and examine each ſlave, and diligently inquire into his age, and return the account e owner, with his determination of the age, to the commiſſioners of the tax; and if any owner y ſlave ſhall omit to give in any ſlave, or wilfully leſſen or increaſe his age, ſuch owners ſhall ouble the tax on the real value of ſuch ſlave.

Perſons to give an account of perſonal property, &c.

. AND, for the diſcovery of all other perſonal property liable to aſſeſſment by this act, BE IT TED, That every perſon, when required by the aſſeſſor of the diſtrict in which his perſonal pro- lies, ſhall give in to ſuch aſſeſſor a full and particular account of all his perſonal property in ame diſtrict, and of all property in his poſſeſſion liable to aſſeſſment, and to whom the ſame gs; and if any perſon ſhall refuſe, or after reaſonable and convenient notice ſhall neglect, to r ſuch account, he ſhall forfeit not exceeding twenty pounds current money for ſuch refuſal or ct; and the aſſeſſor ſhall, on his own knowledge, or the beſt information he can obtain, value erſonal property of ſuch perſon to the utmoſt ſum he believes in his conſcience the ſame may be , and ſhall certify to the commiſſioners of the tax the ſum ſo valued, and alſo the refuſal or ſt, and the ſaid commiſſioners ſhall double the aſſeſſment of ſuch perſon, and the ſame ſhall be ted as the rate by this act impoſed; and if any perſon ſhall give in a partial account of his al property, or of the property in his poſſeſſion, with intent that the payment of the rate on roperty omitted may be avoided, ſuch perſon ſhall forfeit the value of the property ſo omitted.

Number of white inhabitants to be taken, &c.

VI. AND, for the diſcovery of all the white inhabitants within this ſtate, BE IT ENACTED, every aſſeſſor ſhall, before he acts, take an oath or affirmation, that he will diligently inquire , and take a true account of, the number of all the white inhabitants in his diſtrict, of each ſex every age; and every maſter or miſtreſs of a family, ſhall inform the ſaid aſſeſſor of the number hite ſouls in his or her family, and on neglect or refuſal ſo to do, ſhall forfeit twenty pounds nt money.

Aſſeſſors to value all property, &c.

VII. AND BE IT ENACTED, That every aſſeſſor ſhall inform himſelf, by all lawful ways and means, l property in his diſtrict, (except as before excepted,) and ſhall immediately on ſuch informa- proceed to value ſuch property, agreeable to the directions of this act, and ſhall bring with him, e time and to the place appointed by the commiſſioners for his appearance, a certificate in g of the particulars of all property in his diſtrict, and of his valuation thereof, in which ſhall preſſed the number of ſlaves of each deſcription within this act, and the weight of plate, the er of horſes and black cattle, and the value of each of the above ſpecies of property, and all ther perſonal property, and the value thereof, and the amount of the value of the whole pro- of every perſon in his diſtrict, and the amount of the value of all property in the diſtrict; ſhall return with his certificate an alphabetical liſt of the names of all perſons whoſe property all value, and the number of all white inhabitants, of both ſexes and every age, in his diſtrict; if any aſſeſſor cannot diſcover the owner of any property in his diſtrict, he ſhall value and men- the ſame in his return, and note that the owner is unknown.

Valuation of ſlaves, &c.

VIII. AND BE IT ENACTED, That the following ſpecies of perſonal property ſhall be valued at reſpective ſums following, to wit: Every male and female ſlave from eight to fourteen years of twenty-five pounds current money, and every male ſlave from fourteen to forty-five years of age ty pounds like money, and every female ſlave from fourteen to thirty-ſix years of age ſixty pounds money; and ſilver plate eight ſhillings and four-pence like money per ounce, and the other ar-

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ticles of perſonal property ſhall be left to the diſcretion and judgment of the ſeveral aſſeſſors, ſhall eſtimate the ſame at its preſent actual worth in ready money, in coin, at the value aſcert and made current by law; provided, that the ſaid aſſeſſors ſhall be at liberty, and are hereby dir to eſtimate male ſlaves, who are tradeſmen, at ſuch value as they may adjudge them to be worth garding their reſpective trades and their proficiency therein, and the annual value ariſing there and alſo male and female ſlaves under eight years of age, and male ſlaves above the age of fort years, and female ſlaves above the age of thirty-ſix years, to a true proportioned value to ma female ſlaves above or under thoſe ages, and ſhall return in their certificate the number of negr each perſon above the ſaid ages, with their valuation; and if any ſlave ſhall not be perfect limbs or ſight, or from the want of health, or any viſible infirmity, ſhall be rendered incapab perform his uſual and proper labour, the aſſeſſor ſhall make a reaſonable abatement for ſuch and ſhall note the ſame in his return.

How ſurplus land is to be rated, &c.

XIX. AND, whereas it may be juſt and reaſonable in ſome caſes to vary from the quant acres contained in the patent or deed by which the preſent poſſeſſor holds the ſame; BE IT ENAC That where the aſſeſſor ſhall know, or be informed and has good reaſon to believe, that the ſurplus land held under the patent or deed, it ſhall and may be lawful for the aſſeſſor, and he is by required, to call on the perſon to whom the land is aſſeſſed to aſcertain the quantity of ſuch and the aſſeſſor may, in his diſcretion, for the better aſcertaining the quantity thereof, adminiſt oath, or affirmation if a quaker, menoniſt or tunker, to ſuch perſon, to diſcover his knowled belief to the aſſeſſor touching the quantity of ſuch land; and the party ſo to be aſſeſſed ſhall a is hereby obliged to take ſuch oath or affirmation as aforeſaid, and anſwer thereon as to the qua of ſuch land to the beſt of his knowledge and belief, under the penalty of fifty pounds current m for every neglect or refuſal; and where any perſon aſſeſſed holds leſs than the quantity ſpecifi the patent or deed, it ſhall and may be lawful for the party aſſeſſed to aſcertain the quantity by or affirmation as aforeſaid, or otherwiſe to prove the ſame to the ſatisfaction of the aſſeſſor, ſhall allow for ſuch deficiency.

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XX. AND, whereas ſome of the people called quakers, menoniſts or tunkers, are princ againſt bearing arms in any caſe, or contributing property for ſupporting any war, and therefor fuſe to give in any account for their property, and this general aſſembly are willing to make allow for the real weakneſſes of men, as far as the public good will permit, IT IS HEREBY PROVIDED ENACTED, That where the refuſal or neglect of any quaker, menoniſt or tunker, to give in his perty, ſhall be returned to the commiſſioners, if ſuch perſon hath never before given in an acc of property to an aſſeſſor, and the commiſſioners believe that ſuch perſon is a friend to the pr government, and that his refuſal or neglect proceeds from ſcruples of conſcience only, they ſhal double the aſſeſſment of ſuch perſon, nor ſhall he be liable to any penalty for ſuch refuſa neglect.

Perſons may declare on oath, &c.

XXI. AND BE IT ENACTED, That if any perſon ſhall think that his property is over valued by aſſeſſor, he may offer to declare the actual worth thereof on oath or affirmation, which the aſ may adminiſter, and accept as ſufficient evidence of the value of the property of ſuch perſon.

How land in ſeveral diſtricts is to be valued, &c.

XXII. AND BE IT ENACTED, That where any tract or parcel of land lies in ſeveral diſtricts, the owner thereof lives thereon, the ſame ſhall be valued by the aſſeſſor of the diſtrict, and i owner thereof lives thereon, the ſame ſhall be eſtimated by the aſſeſſor of the diſtrict in which owner thereof reſides, wherein the greater quantity lies, and if that be doubtful, then it ſha lawful for the commiſſioners of the county in which ſuch land lies to direct in which diſtrict ſame ſhall be valued; and where any tract or parcel of land lies in ſeveral counties, the ſev aſſeſſors ſhall value ſuch part thereof as may lie in their own county, according to the beſt infor tion they can obtain.

Perſons guilty of fraud to pay double, &c.

XXIII. AND BE IT ENACTED, That if any perſon, who ought to be aſſeſſed by virtue of thi for any perſonal property, ſhall, by removing his or her effects from the county where they ough have been valued, or by any other fraud or device eſcape and not be taxed, and the ſame be pro before any one of the commiſſioners, or any juſtice of the peace for the county where ſuch perſon ſides, at any time within one year next after his property ought to have been valued, every perſon ſhall be charged in the county where he is found, upon proof thereof, double the value of ſum he ought to have been rated by this act, and the ſame ſhall be collected from ſuch perſon the collector of the county where he ſhall be found.

XXIV. A

How eſtates are to be valued, &c.

XXIV. AND BE IT ENACTED, That all lands held or enjoyed immediately by tenants in fee-ſimple, fee-ſimple conditional or executory, or fee-tail, or by tenant for life without any contingency and eachment of waſte, and who pays no rent, or by tenant by the courteſy, ſhall be wholly valued ſuch tenants; and land aſſigned to and held by tenant in dower, ſhall be aſſeſſed to ſuch tenant; where divers perſons have particular eſtates or intereſts carved out of the ſame inheritance, as years, with a reverſion or remainder for life or in fee, a juſt computation thereof ſhall be made in portion to the value of their particular intereſts therein, ſo that added together they ſhall amount the full value of ſuch lands, eſtimated agreeable to the directions of this act, in which computa- the length of the term for years, the age and health of the tenant for life, and the chance of reverſion, ſhall all be conſidered; and as a rule for aſſeſſors to aſcertain the value of ground-rent Annapolis, Frederick, Baltimore, and other towns, the leſſors of ground-rent to the amount of pounds ſhall be aſſeſſed as for one hundred pounds capital, and in the ſame proportion for any ater or leſs ſum; and the leſſees ſhall be aſſeſſed on the actual worth of the improvements made e the leaſe, and the preſent value of the land, after deducting therefrom the value thereof at time of the leaſe, which value ſhall be eſtimated at one hundred pounds for every ſix pounds of ground-rent reſerved, and ſo *pro rato* for every greater or leſs ſum; and the leſſees ſhall be rgeable with and pay the ſum aſſeſſed to the leſſors, and deduct the ſame out of the rent; and it he intention of this act, that leſſors of ground-rent be chargeable in no caſe but only on the rent receive; and as a rule for aſſeſſors to aſcertain the value of houſes in Annapolis, Frederick, timore, and other towns, yielding an annual rent, the leſſors ſhall be aſſeſſed for every twelve nds of the rent reſerved as for one hundred pounds capital, and in the ſame proportion for any ater or leſs ſum of the rent reſerved; and the leſſees ſhall be aſſeſſed in the ſame manner as leſſees ground-rent, and the leſſees ſhall be chargeable with and pay the ſum aſſeſſed to their leſſors, and uct the ſame out of the rent, and the leſſors are in no caſe to be chargeable but only on the rent them received.

Land may be ſold, &c.

XXV. AND BE IT ENACTED, That in all caſes where the collector can find no effects on the land onging to the party chargeable with the aſſeſſment ſufficient to pay the ſame, if diſtreſſed, and the cannot be otherwiſe received, by reaſon of nonreſidence or otherwiſe, it ſhall and may be law- for the commiſſioners of the tax in the county where ſuch lands lie, after thirty days public ice, to cauſe ſo much of the ſaid lands, or of the timber thereon, to be ſold at auction, as may neceſſary to pay the aſſeſſment.

How tobacco is to be valued, &c.

XXVI. AND BE IT ENACTED, That all tobaccoes in the houſes of the owners at the time of aſſeſſ- t ſhall be there valued, and all tobaccoes in the ſeveral warehouſes at the time of appraiſement l be valued by the ſeveral aſſeſſors in whoſe diſtrict ſuch warehouſes ſhall reſpectively be, and aſſeſſment ſhall be notified to the ſeveral inſpectors, who are hereby authoriſed and required to eive the aſſeſſment before the tobaccoes be delivered out, except only in caſe of tobacco pur- ſed for the uſe of this ſtate, or the United States, or where it ſhall appear, by oath or affirmation he party, or the teſtimony of ſome indifferent witneſs, that the ſame tobaccoes have been already ued under this act; and in caſe any inſpector ſhall deliver out ſuch tobaccoes after notice of ſuch ſſment without receiving the ſame, he ſhall be liable to pay double the value thereof, to be re- vered before a ſingle magiſtrate, who ſhall receive, render account of, and pay the ſame, to the lector of his county, within one month thereafter, under the penalty of paying ten *per cent.* in- eſt; and every inſpector ſhall pay the aſſeſſment by him received to the collector of his county hin one month thereafter, under the penalty of paying ten *per cent.* intereſt; but no inſpector or lector ſhall be anſwerable for the aſſeſſment on tobacco in warehouſes, before they ſhall reſpective- receive, or ought to have received, the ſame; and every inſpector ſhall render, from time to time, the commiſſioners of the tax, a true account of all tobacco in the warehouſe under his care.

Commiſſioners to hear complaints, &c.

XXVII. AND BE IT ENACTED, That the ſaid commiſſioners ſhall meet on the ſixteenth day of ril next, at the uſual place of holding their reſpective county courts, to hear and determine the mplaint of any perſon who may think himſelf grieved by his property being over valued by any ſſor, and ſhall ſet for the ſpace of two days next following, and as often afterwards, within thirty ys thereafter, as may be neceſſary, for hearing and determining all appeals made to them; and if ſaid commiſſioners ſhall not meet and ſet as aforeſaid, every commiſſioner failing therein ſhall feit and pay the ſum of twenty pounds current money, unleſs prevented by ſickneſs or other una- idable accident; and if any perſon ſhall apprehend himſelf injured by the valuation of his proper- and ſhall thereof complain to the ſaid commiſſioners, they ſhall, at the time of their ſitting to r appeals, examine any perſon, or, in their diſcretion, the party complaining, on oath, or affirma- if a quaker, menoniſt or tunker, touching the particulars or value of ſuch property, and, upon due

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due examination or knowledge thereof, abate or increaſe the ſaid valuation, and a certificate of abatement or increaſe ſhall forthwith deliver, or cauſe to be delivered, to the collector, who collect and levy the rate from ſuch perſon according to ſuch abatement or increaſe.

May call aſſeſſors before them, &c.

XXVIII. AND BE IT ENACTED, That the commiſſioners of the tax ſhall have full power to the ſeveral aſſeſſors before them at the time limitted for appeals, or at ſuch other times as th their diſcretion ſhall think reaſonable, for the purpoſe of correcting their valuation of property; the ſaid commiſſioners ſhall have full authority, and they are hereby directed carefully to examine ſeveral certificates of valuation in their reſpective counties, and to correct the ſame, thoug complaint or appeal to them, ſo as to make the ſame as nearly equal as poſſible.

Value their property, &c.

XXIX. AND BE IT ENACTED, That the property of each aſſeſſor ſhall be valued by the com ſioners of his county, or any one of them, on or before the fifteenth day of April next, in ſame manner as the property of other perſons by this act is directed to be eſtimated by the aſſeſ which valuation ſhall be added to the certificate of the diſtrict in which ſuch aſſeſſor's property be, collected in the ſame manner as other aſſeſſments are directed to be collected.

And appoint collectors, &c.

XXX. AND BE IT ENACTED, That the commiſſioners of the tax ſhall, at their firſt meeting within ten days thereafter, appoint ſuch perſon as they may judge moſt proper to be collector of tax in their county, and the perſon ſo appointed ſhall appear before the commiſſioners within days after notice of his appointment, and in their preſence enter into bond, with good and ſuffic ſecurities, ſuch as they ſhall approve, in double the ſum to be collected, with condition, "that if above bound ——— ſhall well and faithfully execute and perform the ſeveral duties required of hi collector of the tax for —— county, according to law, then the above obligation to be void, el remain in full force;" and the commiſſioners ſhall witneſs the execution of ſuch bond, and immedia thereafter tranſmit the ſame to the clerk of the county court, who ſhall record the ſame, and tr mit the original to the clerk of the general court, who ſhall alſo forthwith record the ſame, and im diately thereafter deliver the original to the regiſter of the chancery court, to be by him ſafely in the chancery office; and an atteſted copy of either of the ſaid records ſhall be as good evid in law as if the ſaid bond was actually produced and proved in court; and any perſon appoint collector, who ſhall, after notice of his appointment, neglect to appear, not having a reaſonable cuſe in the judgment of the commiſſioners, or appearing ſhall refuſe to take upon him the offic collector, or ſhall refuſe or neglect to give bond as aforeſaid, ſhall forfeit and pay fifty pounds rent money; and the commiſſioners of the tax may alſo, in their diſcretion, remove any colle from his office, and ſhall immediately, on any vacancy by death or removal, or by refuſal to neglect to appear or to give bond as aforeſaid, appoint ſome other collector, who ſhall be ſubje the ſame penalty in caſe of neglect or refuſal, until a proper collector can be procured for ſuch cou

Collector to ſhew certificates, &c.

XXXI. AND BE IT ENACTED, That the collector or his deputy ſhall, on the requeſt of any ſon charged, or on the requeſt of any perſon offering to pay for any perſon charged, ſhew to the ſon ſo applying the certificate given by the commiſſioners of ſuch charge, and if required, give a copy thereof; and if it ſhall appear to any collector, that any perſon ſhall reſide in any other trict of his county than that in which his property ſhall be valued, it is hereby declared to be duty of ſuch collector to enter ſuch aſſeſſment under the diſtrict where ſuch perſon ſhall reſide; if it ſhall appear to any collector, that any perſon whoſe property ſhall be valued in his county not reſide therein, it is hereby declared to be the duty of ſuch collector to make diligent inq where ſuch perſon ſhall live, and he ſhall, if known, tranſmit to the collector of the county wh ſuch perſon ſhall reſide a copy of valuation made on the property of ſuch perſon in his cou and ſuch collector, on receipt thereof, ſhall enter the ſame under the diſtrict where ſuch per ſhall reſide, and collect the ſame.

Counties to be divided, &c.

XXXII. AND BE IT ENACTED, That the commiſſioners aforeſaid ſhall and may divide their ſpective counties into convenient diſtricts, containing not leſs than one or more than three en hundreds; and the ſaid collector, with the approbation of the ſaid commiſſioners, ſhall appoi deputy in each diſtrict, for whom he ſhall be anſwerable.

Liſt to be delivered, &c.

XXXIII. AND BE IT ENACTED, That the commiſſioners ſhall, on or before the firſt day of next, make out and deliver to the collectors an alphabetical liſt of the perſons in each diſt chargeable for the property therein, the amount of the valuation of each perſon's property reſp tively, as made by them, or as returned by the aſſeſſors, or as corrected by them, expreſſing the to be paid thereon by this act.

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How the aſſeſſment is to be paid, &c.

XXXIV. AND BE IT ENACTED, That every perſon ſhall, on or before the twentieth day of May ... pay to the collector of the county, or his deputy of the diſtrict where his property was va... one half part of the aſſeſſment impoſed by this act; or he may diſcharge ten ſhillings, part ...eof, in any of the articles following; that is to ſay, good freſh merchantable pork, delivered be... the firſt day of March next, well fatted on corn, and each hog exceeding ninety pounds weight, ...wenty-ſeven ſhillings and ſix-pence per hundred; good merchantable barrelled pork, containing at ... two hundred and twenty pounds of net pork, at four pounds fifteen ſhillings per barrel; good ...n merchantable wheat, weighing not leſs than fifty-eight pounds per buſhel, at five ſhillings and ...e-pence per buſhel; crop tobacco, inſpected ſince the firſt day of April laſt, in hogſheads weigh... not leſs than nine hundred and fifty net, at nineteen ſhillings per hundred, with an allowance of ... *per cent.* for the caſk; good, ſweet, freſh, merchantable fine wheat flour, packed in ſuch barrels ...ay by law be exported from Baltimore or George-town, at fifteen ſhillings for each ſhort hun...d weight, with an allowance of three ſhillings for the barrels and nails.

Guardians may pay for infants, &c.

XXXV. AND BE IT ENACTED, That where any perſon, whoſe property is chargeable with the rate ...this act impoſed, ſhall be under the age of twenty-one years, if the parent or guardian of ſuch ...nt ſhall make payment, the ſame ſhall be allowed him in his account with ſuch infant.

And executors for deceaſed perſons, &c.

XXXVI. AND BE IT ENACTED, That if an executor or adminiſtrator ſhall have any perſonal eſtate ...the deceaſed in his hands chargeable with the aſſeſſment impoſed by this act, he may inform the ...ſſor, and on payment of the rate the receipt of the collector ſhall be ſufficient evidence to diſ...rge ſuch executor or adminiſtrator for the ſum by him paid.

Places for receiving wheat, &c.

XXXVII. AND BE IT ENACTED, That wheat and pork be received in diſcharge of the tax impoſed ...this act at any of the following places, to wit: At Leonard-town, in Saint-Mary's county, at ...eſter-town, in Kent county, at Elk-Ridge Landing, in Anne-Arundel county, at Lower-Marl...rough, in Calvert county, at Port-Tobacco, in Charles county, at Baltimore-town, in Baltimore ...nty, at Miles river ferry, in Talbot county, at Princeſs-Anne-town, in Somerſet county, at ...mbridge, in Dorcheſter county, at the Head of Elk, in Cæcil county, at Upper-Marlborough, in ...nce-George's county, at Corſica creek, in Queen-Anne's county, at Snow-Hill-town, in Worceſ... county, at Frederick-town, in Frederick county, at Otter Point, in Harford county, at Gilpin's ...int, in Caroline county, at Elizabeth-town, in Waſhington county, and at George-town, in Mont...mery county; and flour may be received at Baltimore-town, and George-town on Patowmack, af... inſpection; and crop tobacco, inſpected at any warehouſe in the ſtate, within the time and of the ...ght directed by this act, ſhall be received by any collector of the tax.

Collectors to take care of wheat, &c.

XXXVIII. AND BE IT ENACTED, That the collector of the tax in the ſeveral counties, and ſuch ...puties as they may appoint, be and hereby are authoriſed to receive and take care of the ſaid arti...s of wheat, pork and flour, at the places aforeſaid; and the commiſſioners of the tax may remove ...m at pleaſure, and appoint others in their places; and the governor and the council are requeſt... from time to time, to ſend them inſtructions how and in what manner to execute their offices; ...d it is declared to be the duty of the ſaid perſons to receive and take great care of all wheat, pork ...d flour, delivered them agreeable to this act, in diſcharge of taxes, and to give the payers their ...ceipts therefor, and to hire proper granaries or ſtore-houſes, and to keep fair and regular accounts ... all the articles they receive, and of the diſpoſition thereof, and to tranſport them to ſuch places ... they may be directed (in or out of the ſtate,) by the governor and the council, and frequently to ...ke known the ſtate of the proviſions, and to render to them, once in every four months, (or oftener ... required,) an accurate account of all proviſions in their poſſeſſion; and the ſaid receivers, before ...ey act, ſhall take an oath, faithfully and honeſtly to perform the ſeveral duties required of them by ...is act, and enter into bond, with two good and ſufficient ſecurities, ſuch as the commiſſioners of ...e tax of their county ſhall approve, in the ſum of two thouſand pounds current money, with con...tion, well and faithfully to execute and perform the ſeveral duties required of them by this act; ...d in caſe any of the ſaid perſons ſhall die, refuſe, reſign, or be rendered incapable to act, the ſaid ...mmiſſioners may appoint another in his ſtead, who ſhall qualify and give bond as aforeſaid; and ...ch of the ſaid receivers ſhall be allowed the expence of granaries and ſtore-houſes, and the curing ...rk; and if any perſon ſhall forge any receipt, or by any fraud or device attempt to evade the real ...yment of the ſpecific articles pretended to have been paid, ſuch perſon, beſides ſuffering the puniſh...nt incurred by law in the ordinary courſe of proſecution, ſhall be liable to be diſtrained by ſpecial ...der of the commiſſioners of the tax of his county, after hearing, or default on notice, for treble ...e ſum ſo deceitfully or fraudulently attempted to be evaded; and the ſaid receivers of ſpecifics are ...powered and required to procure ſalt, and good well ſeaſoned tight barrels, or ſmall tight caſks,

and

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and to hire hands for the salting, packing and curing pork; and where any persons shall de specifics at any of the places aforesaid appointed for the receipt thereof, out of the county w the tax arises, the receipt by the person receiving such specifics shall discharge the payer, an sufficient evidence to the collector of the county where the tax is payable, and the commission only be allowed to the person receiving the same.

Time for collecting the assessment, &c.

XXXIX. AND BE IT ENACTED, That the said collector and their deputies shall, immediately the said twentieth day of May next, collect the half part of the assessment imposed by this act distress and sale of any goods or chattels within his county, the property of any person charged th with, of which sale five days notice, excluding the day of notice and sale, shall be given, and by dis and sale of any goods or chattels found on any land chargeable with the said rate, of which the notice shall be given, which said sales shall be for current money; and if no effects can be foun the said land, the same shall be chargeable with the assessment which may be unpaid, with six *per* interest thereon from the fifteenth day of April next, in the hands of any purchaser, and any goo any time found on the premises shall be liable to distress and sale for payment thereof; and the res tive collectors shall, from time to time, disclose to the commissioners of his county his receipts o rate imposed by this act, and shall, from time to time, pay to the treasurer of his shore, by direc of the commissioners, as far as he shall have received, so that no great sum of money may lon main in his hands.

Commissioners to draw on collectors, &c.

XL. AND BE IT ENACTED, That the commissioners of the tax in each county are hereby empo ed to draw their order on the present or late collector of the tax in their county, having pu money in their hands, in favour of the receiver of specifics, for such sum of money as they judge necessary, not exceeding fifty pounds, to enable him to proceed in the execution of hi fice; and the governor and council are also requested to advance, from time to time, such sum money, by their order on the treasurer of either shore, as they may judge necessary, to enable said receivers to defray the expences which they may incur in the execution of this act.

Collectors to render fair accounts, &c.

XLI. AND BE IT ENACTED, That each of the said collectors shall appear at the place of hol the county court for his county on the first day of July next, and then and there lay before commissioners of his county an accurate and fair account of his collection of the half part of the aforesaid, under the penalty of two hundred pounds current money; and the said commissioners appear at the same time and place, under the penalty of twenty pounds on each commissioner not pearing, unless prevented by sickness or unavoidable accident, and they shall immediately proce adjust his said account, charging him in money or tobacco, according as he received or ought to h received the same, and shall, upon such settlement, allow to the said collector a commission of and an half *per cent.* on the collection of the assessment made in money, tobacco, specifics or cer cates allowed by this act to be discounted, or on the sum they shall adjudge him to be answerable and the commissioners shall not allow the collector any deductions of any part of the sums mentio in the certificates of assessment, except only in such cases where it shall appear to them that he used all lawful means for the levying and collecting the same, two copies of which account, so ad ed, with a certificate of the balance thereof, shall be signed by the said commissioners, and on or fore the tenth day of July next delivered to the sheriff of their respective counties, endorsed on public service, to be by him forwarded as public letters to the clerk of the house of delegates, an the treasurer of his shore; and every collector shall pay to the treasurer of his shore, on or be the twenty-fifth day of July next, the whole balance of his account, adjusted by the commissio and upon failure in payment by any collector, the treasurer of his shore shall, on or before the t day of August next, obtain a copy of his bond, and file the same in the general court, and thereu *scire facias* shall issue against such collector and his securities, in the same manner as on bonds to loan-office, and similar proceedings shall be had to compel payment of the money due, with int of ten *per cent.* from the said twenty-fifth day of July next.

Commissioners to adjust accounts, &c.

XLII. AND, to prevent any damage to any collector from the negligence of his deputies, o their receiving the taxes and converting the same to their own use, BE IT ENACTED, That the c missioners of the tax be empowered, on hearing, (or default to appear on notice,) to adjust the count between the collector and any of his deputies, concerning his receipt, collection, or negle duty, as deputy-collector, and may order the balance to be paid, either immediately, or by a day to be limitted, and may also carry such order into effect, by their warrant, directed to the sh to levy the sum due, in the same manner as by *fieri facias*, on the lands, goods or chattels, of the puty, or to take his body in execution as on a *capias ad satisfaciendum*, in satisfaction thereof.

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Certificates, &c. to be transcribed, &c.

III. AND BE IT ENACTED, That all the certificates of aſſeſſment which ſhall be delivered by ſeſſors to the ſaid commiſſioners, and all their books of proceedings, and the accounts by them d with the ſeveral collectors, ſhall be fairly tranſcribed by their clerk, and ſigned by the com-ers, and delivered by them to the ſheriff of their reſpective counties on or before the ſaid ieth day of July next, under the penalty of fifty pounds current money, to be by the ſaid forwarded as public letters to the clerk of the houſe of delegates; and the original certificates aſſeſſors, and the proceedings of the commiſſioners, and accounts by them ſettled with the collectors, ſhall be by them delivered, on or before the ſaid firſt day of July next, to the of their county, under the penalty of fifty pounds current money, to be by the ſaid clerk ſafely in his office for the inſpection of the inhabitants of ſuch county.

Clerk to make out a liſt, &c.

IV. AND BE IT ENACTED, That the clerk of the commiſſioners in each county ſhall, on or be-he tenth day of May next, make out from the aſſeſſors certificates, and the corrections there-any) by the commiſſioners, a ſummary account or liſt (in columns,) in which ſhall be expreſſed mber of acres of land, the number of ſlaves of each deſcription within this act, the weight of the number of horſes and black cattle, and the value of each of the ſaid ſpecies or kind of rty, and all the other property, and the value thereof, in each diſtrict, and the whole value h diſtrict extended, and the amount of each column, and ſhall lay the ſame before the com-ners, who, after correction thereof, if neceſſary, ſhall ſign and encloſe the ſame, endorſed for blic ſervice, to the clerk of the houſe of delegates, and ſhall, within five days thereafter, under y of fifty pounds on each commiſſioner, deliver the ſame to the ſheriff of their county, to him forwarded as public letters, and under the like penalty; and the clerk of the houſe of tes ſhall enter the ſaid ſummary account in a book to be provided for that purpoſe, and keep iginal in his office, and on the ſecond day of the next meeting of the general aſſembly he ſhall e ſame before the houſe of delegates, for the inſpection of the members.

Time for making the ſecond payment, &c.

V. AND BE IT ENACTED, That every perſon ſhall, on or before the fifteenth day of September pay to the collector, or his deputy in the diſtrict where his property was valued, the reſidue of d rate impoſed by this act, or he may diſcharge ten ſhillings, part thereof, in any of the ſpecific s aforeſaid, at the prices and in the manner aforeſaid, on or before the fifteenth day of Sep-r next; and if any perſon ſhall not make payment by the ſaid day, the reſpective collectors reby authoriſed and required to collect the ſame by diſtreſs and ſale, in the manner before di-; and the collectors ſhall make payment by direction of the commiſſioners, as herein before d, and his final account ſhall be ſettled by the commiſſioners on or before the firſt day of De-, ſeventeen hundred and eighty-three, and the balance thereof ſhall be paid by the twentieth f the ſaid month of December, in the ſame manner, and under the like penalty, as before di-as to the firſt account, and for not duly paying his firſt balance, the like proceedings ſhall be his bond as are before mentioned; and the ſaid commiſſioners are hereby directed to adjuſt and it the ſaid ſecond account, in the ſame manner as they are directed as to the firſt, on or before ſt day of January, ſeventeen hundred and eighty-four.

Collector to pay commiſſioners, &c.

VI. AND BE IT ENACTED, That the collector of each county, at the time of the ſettlement of count, ſhall pay to every commiſſioner twelve ſhillings and ſix-pence for each day he ſhall ne-y attend, and ſhall alſo pay to the ſaid commiſſioners, for the uſe of their clerk, twelve ſhil-nd ſix-pence per day for his ſervice, and for the uſe of the ſaid aſſeſſors, for the full and faithful rmance of their duty under this act, any ſum not under five pounds nor exceeding forty-five pounds t. money for each aſſeſſor, which the ſaid commiſſioners ſhall judge an adequate reward for his e; and the amount of all the ſums ſo paid ſhall, by the ſaid commiſſioners, be allowed to the llector on the ſettlement of his account, in which account ſhall be expreſſed the name of the and the names of the aſſeſſors for each diſtrict, and the ſum of money to them reſpectively allow-nd the ſaid commiſſioners ſhall, after the receipt of the ſaid ſums for the uſe of their clerk and ſaid aſſeſſors, pay the ſame to them or their orders reſpectively on demand, under the penalty y pounds current money to the party grieved.

Single men to be aſſeſſed, &c.

VII. AND, whereas it is juſt that all perſons who have ability ſhould contribute in ſome degree the expences of government and the ſupport of the war, BE IT ENACTED, That all free lied male inhabitants of this ſtate, who are above the age of twenty-one years and under fifty, not liable to be aſſeſſed the ſum of fifty pounds current money or upwards, ſhall be aſſeſſed of fifteen ſhillings current money, in lieu of all other taxes, to be divided and paid in two nts as aforeſaid, and the ſame ſhall be collected by the collectors in the ſeveral counties in above mentioned, or by execution of the body or goods of the perſon making default; and

CHAP. VI.

it shall be lawful for every assessor, and he is hereby directed, on taking the name of any such male inhabitant, if a single man, to require him to give security for payment of the said fifteen lings, and in case of refusal or delay, such assessor shall carry him before some justice of the co who, on refusal or delay to give security, shall commit the person to the gaol of the county, to remain till payment or security given therefor, and every collector and deputy-collector is inv with the same power; and if any such person shall remove out of the county, it is declared to b duty of any assessor, collector, deputy-collector or commissioner, acquainted therewith, to giv formation thereof to the collector or deputy-collector, or some one of the assessors or commissio of the county where such person shall be, and any of them, on such notice, shall inquire after may arrest such person, and carry him before some justice, who shall commit him to the gaol o county, there to remain till payment of thirty shillings current money and the costs of imprisonm

Proviso.

XLVIII. PROVIDED ALWAYS, AND BE IT ENACTED, That the commissioners of the tax in county may release the above payments, or either of them, to such married men of the abov scription, as shall make it appear to their satisfaction that they have a large family of small chil or are otherwise unable to pay such assessment.

What persons are paupers.

XLIX. AND, to ascertain what persons shall be deemed paupers, and not liable to pay any assess for the support of government, BE IT ENACTED AND DECLARED, That all persons (not included i above description,) whose property shall not be valued above ten pounds current money, shall b are hereby declared paupers, and shall not be chargeable with any tax to the support of governm

Collector's fees.

L. AND BE IT ENACTED, That if any collector shall be obliged to enforce the collectio the assessment by distress and sale, or by execution of the person, he shall receive the same fe the sheriff is entitled to by law for the like service, payable in current money; and any pe whose property shall be liable for payment of the said assessment, or any part thereof, may disc the same, at any time before sale of the property distrained, in any of the specific articles afor (except fresh pork,) at the price aforesaid, and in such case the collector shall receive for his tr one half of the fees he would be entitled to on sale.

Debtor may deduct, &c.

LI. AND BE IT ENACTED, That from all interest of money or tobacco which shall becom between the first day of January, seventeen hundred and eighty-three, and the first day of Jan seventeen hundred and eighty-four, the debtor may deduct one sixth part of the said interest agreement to the contrary notwithstanding, and any contract hereafter made to the contrary sh void in law; and if any creditor shall refuse to allow such deduction, he shall forfeit treble th of money or quantity of tobacco by him so refused to be deducted, to the use of such debtor, such debtor may recover the forfeiture on warrant before a justice of the peace, if the sum doe exceed his jurisdiction, and if it does, by action at law, as for money or tobacco received to his

Commissioners, &c. to take the oath, &c.

LII. AND BE IT ENACTED, That if any person appointed a commissioner, assessor or receiv specifics, or to any office in virtue of this act, hath not heretofore taken the oaths, (or if a qu menonist or tunker, the affirmations,) of fidelity and support to this state, such person shall, b he acts as such, unless to administer the oaths directed by this act, subscribe a declaration o belief in the christian religion, and take the oath (or if a quaker, menonist or tunker, the aff tion,) of fidelity to this state, directed by the constitution, and the oath or affirmation prescribe the act to punish certain crimes and misdemeanors, and to prevent the growth of toryism; which or affirmations any one of the said commissioners, or any justice of the peace, may administer.

Duties may be performed, &c.

LIII. AND BE IT ENACTED, That if any of the days appointed by this act for the perform of any of the duties hereby required shall happen to be a Sunday, then such duties shall be perfo on the day following.

Suits, when to be commenced, &c.

LIV. AND BE IT ENACTED, That if any suit shall be brought against any person for any done in pursuance of this act, the suit shall be commenced within six months after the fact comm and the defendant in any suit may plead the general issue, and give this act and the special matt evidence, and that the same was done in pursuance and by authority of this act, and if it sha pear so to be done, or if any such suit shall be brought after the time limitted, then the jury find for the defendant, and if the plaintiff shall become nonsuit, or suffer a discontinuance, o verdict shall pass, or upon demurrer judgment shall be given, against him, the defendant shall re treble costs, and have such remedy for the same as any defendant hath for costs of suit in other at law.

LV.

V. AND BE IT ENACTED, That the holder of any certificate for money borrowed by the ...ic, or for allowances on the journal to public creditors, under the faith of the legiſlature of this ...e that the ſame, or the intereſt thereof, ſhould be diſcounted for taxes, may, if he requeſts the ...e, have his tax impoſed by this act diſcounted according to the engagement of the public, rating ... money due for principal or intereſt diſcounted according to the value of the money when the ...ificate was given, ſuch value to be aſcertained by the ſcale of depreciation ſettled by the act ...djuſt the debts due from this ſtate; and the holder of any certificate for grain, flour or other pro...ons, purchaſed or taken, or for veſſels or carriages hired or impreſſed, or houſes rented, under ... act of aſſembly of this ſtate, promiſing that the value or price ſhould be diſcounted in payment of ...lic taxes, may produce his certificate to the commiſſioners of the tax for his county, and the ...miſſioners are to adjudge and endorſe on the certificate the value of the freight, hire or rent ...reſaid, or the market price in their county of the grain, flour or other proviſions, mentioned ...rein, in current money, at the time the ſame was delivered or taken, and the holder of ſuch cer...ate may have a diſcount of his tax impoſed by this act, not exceeding the ſum due thereon, ac...ding to the value aſcertained by the endorſement, and the collector ſhall endorſe ſuch diſcount, ... the date when made, on ſuch certificate, and ſhall thereto ſubſcribe his name.

Holders may diſcount, &c.

VI. AND BE IT ENACTED, That no collector ſhall have any allowance for any certificate, unleſs ...will declare on oath, (to be adminiſtered by either of the treaſurers,) that the ſaid certificate ... honeſtly and *bonâ fide* received or diſcounted in payment of the aſſeſſment due on the property ...is county; and any collector ſwearing falſely in the premiſes ſhall be liable to the ſame proſecu... and puniſhment as in other caſes of wilful and corrupt perjury, and ſhall incur all the diſabilities ...nding ſuch infamous crime.

Collectors to declare on oath, &c.

VII. AND BE IT ENACTED, That the allowance to any aſſeſſor, and to the commiſſioners and ...r clerk, ſhall be diſcharged in wheat at five ſhillings and three-pence per buſhel, or may be diſ...nted in their aſſeſſment, and the commiſſion to the receivers of ſpecifics ſhall be paid in wheat or ...r at the price limitted in this act, and the commiſſion of the collectors ſhall be paid in gold or ſil... upon ſuch ſums as may be collected in gold or ſilver, and in tobacco upon the collections made in ...acco.

How aſſeſſors, &c. are to be paid, &c.

VIII. WHEREAS the general aſſembly did engage to make proviſion for the punctual payment of ...reſt on the debts due from the public, BE IT ENACTED, That ſo much of the money and ſpecific ...cles collected in virtue of this act as may be neceſſary, ſhall be firſt applied, and is hereby appro...ted and ſet apart, for the payment of one year's intereſt on ſuch certificates as have been or ſhall ...adjuſted agreeable to the act relating to public creditors; and to enſure the punctual payment of ... year's intereſt at the time when due, the governor and the council are requeſted, if a ſufficient ... of gold or ſilver ſhall not be in the public treaſury, to direct that as much tobacco, wheat or ...r, as may be neceſſary to pay one year's intereſt on ſuch certificates, to be ſold for that purpoſe, ... the general aſſembly will provide for the conſtant and punctual payment of the annual intereſt, ...il the principal ſum ſhall be diſcharged.

Money, &c. to be firſt applied, &c.

IX. AND BE IT ENACTED, That the coin received in virtue of this act, or continental bank notes, ...o be procured, (not exceeding one fifth of the whole aſſeſſment,) be remitted to the continental ...ſury for the payment of the army, and that the reſidue be appropriated to diſcharge the civil liſt, ... in ſuch other manner as the general aſſembly ſhall direct.

Coin, &c. to be remitted, &c.

X. AND BE IT ENACTED, That the governor and council may ſell the wheat, or direct it to be ...nufactured and ſell the flour, and they may ſell the tobacco and pork, as they may judge moſt for ... intereſt of the ſtate.

Wheat, &c. to be ſold, &c.

XI. AND BE IT ENACTED, That Mr. Frederick Green, printer, according to his agreement ...h the houſe of delegates, ſhall print, and ſtitch in blue paper covers, ſeven hundred and fifty ...ies of this act, and make the ſame up into eighteen parcels of thirty-ſix copies, directed to the ...miſſioners named in this act for the ſeveral counties; and each commiſſioner ſhall keep one of the ... copies for his own uſe, and the others ſhall, by the ſaid commiſſioners, be diſtributed to the ...ſſors in their reſpective counties; which parcels the ſaid printer ſhall endorſe for the public ſer...e, and deliver to the ſheriff of Anne-Arundel county, on or before the tenth day of January, ...enteen hundred and eighty-three, under the penalty of twenty-pounds, and the ſeveral ſheriffs ... hereby required to forward them in the ſame manner as public letters; and the printer ſhall de...er the reſidue of ſaid copies to the clerks of the ſenate and houſe of delegates.

Copies to be printed, &c.

CHAP. VII.

Passed 15th of Jan. 1783.

An ACT to confirm certain purchases of confiscated property. [I]

TBH. No. A. fol. 238.

Preamble.

WHEREAS the commissioners for the preservation of confiscated British property were powered, by an act for raising recruits, passed November session, seventeen hundred eighty-one, * to sell the lands lying in Talbot county, late the property of the heirs of An Richardson, did also proceed to the sale of two tracts, called Richardson's Adventure and rick, lying in Caroline county, and doubts have arisen respecting the validity of the latter purch

* Chapter 28.

Sale valid, &c.

II. BE IT ENACTED, *by the General Assembly of Maryland*, That the said sale of the two tra land aforesaid shall be as good and valid in law, as if the commissioners aforesaid had had full er and authority to have made the same by the act aforesaid; and that the commissioners, o one of them, have full power and authority, and they or any one of them is hereby direct convey the said two tracts unto Henry Downes, his heirs and assigns for ever.

CHAP. VIII.

An ACT for an addition to Baltimore-town, in Baltimore cou

Lib. TBH. No. A. fol. 238.

Preamble.

WHEREAS Benjamin Rogers, Charles Ridgely, (son of John,) Christopher Hughes, H Brown, John Mercer Porter, George M'Comdless, Thomas Russell, Robert Moor, Williamson, Charles Frederick Wiesenthall, John Wells, Jonathan Hudson, John Steret, G Prestman, John Gordon, Thomas Dorsey, John Dorsey, Samuel Chase, William Hammond David Rusk, by their humble petition to this general assembly have set forth, that they are and possessed of part of the following tracts of land, to wit: Howard's Timber Neck, Parker's ven, Kemp's Addition, and Gilt's Inspection, which said lands and premises lay contiguous to timore-town, and are well calculated for the purposes of commerce and navigation, and t would tend greatly to the advantage of said town, in case the said tracts of land and premises laid out into convenient streets, lanes and alleys, and therefore prayed a law might pass for purpose; and it appearing to this general assembly, that to extend the limits of said town contribute to promote the trade and commerce thereof,

Land to be surveyed, &c.

II. BE IT ENACTED, *by the General Assembly of Maryland*, That the commissioners of Baltimore- aforesaid, or the major part of them, be authorised and required, at any time before the first d September next, to cause the aforesaid tracts of land and premises, or such parts thereof as may think necessary, to be surveyed and laid out into lots, streets, lanes and alleys, at the p cost and expence of the proprietors thereof, in such manner as to the said commissioners, or th jor part of them, shall seem convenient.

A plot to be made, &c.

III. AND BE IT ENACTED, That the commissioners aforesaid, or a major part of them, shal or before the first day of September next, cause a correct and accurate survey and plot to be of the said tracts and parcels of land aforesaid so laid out, and of all lots, streets, lanes and a which shall be laid out in virtue of this act; and the said plot shall be recorded amongst the re of said town, as soon as conveniently may be thereafter, there to remain as evidence of the bou ries, situation and location of the said lots, and of the streets, lanes and alleys; which said st lanes and alleys, hereafter to be laid out in pursuance of this act, shall be highways, and be so d ed and taken to all intents and purposes whatsoever; and when the same shall be done, the said t and parcels of land and premises, so surveyed and laid out, shall be, and is hereby declared t part of Baltimore-town, as fully and amply as if included originally therein, and shall have the immunities and privileges as the said town has, or by former laws ought to have, saving to the of Maryland, and all bodies politic and corporate, and all persons not mentioned in this act, several and respective rights.

Proceedings to be recorded, &c.

IV. AND BE IT ENACTED, That the commissioners aforesaid shall, on or before the first day of tember next, cause their proceedings to be recorded amongst the records of said town, there t main as evidence of the boundaries, situation and location of said lots, and of the streets, lanes alleys aforesaid.

Right in the proprietors, &c.

V. AND BE IT ENACTED, That the several proprietors aforesaid, and their heirs and assigns, respectively have the sole and exclusive right and authority, with the approbation and consent o commissio

missioners aforesaid, or a major part of them, to appropriate, dispose of and convert, the timber wood growing on the earth, and sand lying in such of the said streets, lanes and alleys, as are out in their several and respective parts of the said tract of land. CHAP. VIII.

CHAP. IX.

ACT for confirming a deed of conveyance made by James Langton to Thomas Langton, of and the lands and premises therein mentioned. Lib. TBH. No. A. fol. 239. A Private Act. Passed 15th of Jan. 1783.

CHAP. X.

ACT for the relief of John Gray, (hatter,) a languishing prisoner in Baltimore county gaol. b. TBH. No. A. fol. 240. A Private Act.

CHAP. XI.

ACT for laying out a road from Philip Shoal's mill, in Baltimore county, until it intersects the main road leading from Frederick-town to Baltimore-town, between Mansell's and Hood's tavern, in Anne-Arundel county. Lib. TBH. No. A. fol. 242.

WHEREAS it is represented to this general assembly, by the petition of sundry inhabitants of Anne-Arundel and Baltimore counties, that they labour under great inconvenience for want waggon road from Philip Shoal's mill to the main road leading from Frederick-town to Baltimore-; and it appearing reasonable to grant the petition, Preamble.

I. BE IT ENACTED, *by the General Assembly of Maryland*, That John Hood, Nicholas Dorsey and emon Dorsey, or any two of them, be and are hereby appointed commissioners, and are hereby orised to lay off a waggon road, twenty feet wide, from the said Philip Shoal's mill, in Balti- county aforesaid, until it intersects the main road leading from Frederick-town to Baltimore-, between Mansell's and Hood's tavern, in Anne-Arundel county, which said road, when laid shall be a public road. A road to be laid off, &c.

II. AND BE IT ENACTED, That the commissioners aforesaid shall ascertain and value what damage road running through any person's land as aforesaid shall amount to, which shall be paid to such on damaged as aforesaid by the said Philip Shoal. Damages to be ascertained, &c.

V. AND BE IT ENACTED, That the said road shall not go through any orchard, garden or mea-, unless with the approbation of the owner. Not to go thro' orchards, &c.

CHAP. XII.

ACT for the relief of William Knott, of Montgomery county. Lib. TBH. No. A. fol. 243. Private Act.

CHAP. XIII.

ACT to relieve nonjurors from certain disabilities. Lib. TBH. No. A. fol. 243.

E IT ENACTED, *by the General Assembly of Maryland*, That the treble tax which nonjurors were liable to pay, and which has been heretofore suspended by any act of assembly, is hereby remit- and the said nonjurors are hereby for ever discharged therefrom. Treble tax remitted.

I. AND BE IT ENACTED, That so much of the said act for the better security of the govern-, (a) as imposes a treble tax on nonjurors, be and is hereby repealed. Part of an act repealed.

(a) October, 1777, ch. 20.

II. AND BE IT ENACTED, That no person of the sect, society or profession, of the people called thodists, shall be fined for preaching the Gospel without taking the oath or affirmation prescribed the act for the better security of the government, unless it shall appear that such methodist, by actions and conduct, hath manifested a disposition inimical to the present government. Methodists not to be fined, &c.

CHAP. XIV.

ACT for the benefit of Mrs. Rebecca Hanson and Miss Catharine Dulany. Lib. TBH. No. A. l. 244. A Private Act.

CHAP.

CHAP. XV.

Passed 15th of Jan. 1783.

An ACT for the relief of Edward Hargadine, a languiſhing priſoner in Queen-Anne's county Lib. TBH. No. A. fol. 244. A Private Act.

CHAP. XVI.

An ACT to empower James Scott, adminiſtrator of Daniel Scott, deceaſed, to ſell and diſpo part of two tracts of land in Harford county. Lib. TBH. No. A. fol. 246. A Private Act

See 1791, ch. 40.

CHAP. XVII.

An ACT for the more effectual paving the ſtreets of Baltimore-tow in Baltimore county, and for other purpoſes. Lib. TBH. No. fol. 248.

Supplementary and other acts 1791, ch. 59, November, 1792, ch. 21, 1796, ch. 42, 1796, ch.

Taxes to be levied, &c.

BE IT ENACTED, *by the General Aſſembly of Maryland*, That the following taxes (a) be levied i town and upon the inhabitants of Baltimore-town, towards paving, cleanſing and keeping i pair, the ſtreets, lanes and alleys, and for mending, building and keeping in repair, the br within the ſaid town, viz. *On every foot front of improved and unimproved lots in thoſe parts of the f fixed on to be paved, or that may have been already paved, by the ſpecial commiſſioners appointed by an act entitled, An act for the ſpeedy application of the money appropriated for repairing the ſtreets in Baltimore- in Baltimore county; that is to ſay, twelve ſhillings and ſix-pence; and on every foot front of improved an improved lots in thoſe parts of the lanes and alleys paved or to be paved, ſix ſhillings and three-pence*; on e four-wheeled riding carriage thirty ſhillings per year; chairs or ſulkeys fifteen ſhillings per y drays twenty-five ſhillings per year; waggons and carts twenty-five ſhillings per year; riding h twenty ſhillings per year; an additional tax upon billiard tables fifteen pounds per year; a upon the play-houſe of (c) fifty pounds per year; an additional tax of thirty ſhillings on e chimney catching fire; (d) on perſons convicted in the county court of ſelling liquors without lic an additional fine of thirty ſhillings; an additional tax of five pounds annually on tavern licen a tax, not exceeding two ſhillings and ſix-pence, on every hundred pounds of aſſeſſed property in ſaid town.

The parts of this ſection printed in italic, were repealed by 1791, ch. 59, ſection 3d, and by the 2d ſection of that act, taxes are impoſed.

(a) By November, 1792, ch. 21, the taxes are to be recovered by diſtreſs and ſale, and a remedy is given to perſons agg thereby.

(b) April, 1782, ch. 39.

(c) The part of this act impoſing a tax of fifty pounds on theatrical exhibitions was repealed by 1791, ch. 59, by w licence was to be applied for, and to be paid for at the ſame rate; and the power of licenſing, &c. as to theatrical and public amuſements, is now veſted in the corporation.

(d) An additional fine, (according to the houſes,) is laid on chimnies catching fire, by November, 1792, ch. 21, a corporation is now empowered to provide for licenſing and regulating the ſweeping of chimnies, (with the conſent of the land Inſurance Fire Company.)

Duration of taxes.

II. BE IT ENACTED, That the twelve and ſix-penny and ſix and three-penny tax on every front of improved and unimproved lots, ſhall be aſſeſſed and collected but once; that the *per ce* upon all aſſeſſed property ſhall be levied only for and during the ſpace of ſeven years, or till the ſeventeen hundred and ninety incluſive, beginning with the year ſeventeen hundred and eighty-th and the other taxes as ſhall be hereafter directed.

Special commiſſioners to have power over vendue-maſter, &c.

III. AND, for the furtherance and due execution of this act, BE IT ENACTED, That the ſp commiſſioners (e) have the ſame powers over the vendue-maſter for Baltimore as the town comm oners, and hereby have authority to compel a ſettlement of his accounts quarterly, half yearl yearly, and to receive that part of his commiſſion on the ſale of all condemned merchandiſe or o property, and all other goods, eſtates or commodities, ſold by ſaid vendue-maſter, in virtue o office and appointment.

(e) In this ſection, and others, where the ſpecial commiſſioners are mentioned, ſee the note at the end of the act.

They may anticipate taxes, &c.

IV. BE IT ENACTED, That the ſpecial commiſſioners be and are hereby empowered to anticip by loan, on the aforeſaid taxes, any ſum not exceeding fifty thouſand pounds, and to mortgage whole or any part of ſaid taxes, for the payment of any part or the whole of ſuch ſum ſo borrow

V.

Their oath.

I. AND BE IT ENACTED, That each and all of the ſpecial commiſſioners ſhall take an oath or affir- ion before a magiſtrate, of the tenor and effect following; that is to ſay, "I, A. B. will well and uly cauſe the debts ariſing by virtue of this act to be ſpeedily adjuſted, and the ſeveral ſums of oney hereby impoſed to be duly collected and applied to the purpoſes by this act intended, and to other purpoſe, and that I will faithfully diſcharge the office of commiſſioner to the beſt of my ill and ability."

Their duty.

II. AND BE IT ENACTED, That the ſpecial commiſſioners, or a majority of them, do, from time ime, or as often as there may be occaſion, meet and conſult together, reſpecting what ſtreets or s of ſtreets, what lanes or alleys, are to be paved; reſpecting the beſt method and manner of ing and keeping clean ſuch of the ſtreets, and public lanes and alleys, of the ſaid town, as are in the inhabited and ſettled parts thereof; and of amending, building or repairing, the bridges; of amending or repairing the common ſewers of ſaid town, made, or that may be made, for diſ- ging and carrying off the water into the river or baſon; and of making, amending and repairing, public ſtreets, roads and highways, within the ſaid town, leading from any of the public roads in country to the paved and regulated parts of the ſaid ſtreets; and to contract with any perſon or ons for all materials for the purpoſes aforeſaid, and with ſuch and as many workmen as they ſhall e neceſſary to be employed from time to time in and about the premiſes; and to agree on, exe- and perform, every other act, matter and thing, which to them ſhall appear neceſſary for the ment of ſaid act.

Their power.

III. AND BE IT ENACTED, That the ſpecial commiſſioners ſhall have full power and authority to r upon the lots, grounds and poſſeſſions, of any perſon or perſons, bodies politic or corporate, ugh which the common ſewers run, or ought to run, to regulate, make, or repair the ſame; vided that no common ſewer or water-courſe to be laid out, ſhall be regulated ſo as to run through lot of ground belonging to any private perſon or perſons, unleſs the ſame ſhall be agreed to, and roved of, by a majority of the ſaid ſpecial commiſſioners; and in every ſuch caſe, that the da- es ſuſtained, or to be ſuſtained, by reaſon thereof, by ſuch private owner or owners, ſhall be va- and appraiſed by two indifferent perſons, one of them to be choſen by the ſaid ſpecial commiſſi- rs, and the other by ſuch owner or owners; and alſo that the ſaid damages ſhall be paid to ſuch er out of the monies ariſing by virtue of this act.

Penalty on perſons obſtructing, &c.

IV. AND BE IT ENACTED, That if any perſon or perſons ſhall wilfully ſtop up or obſtruct the ge of the waters of any of the common ſewers, made or to be made, he or they, ſo offending, forfeit and pay, for every ſuch offence, any ſum not exceeding the ſum of twenty-five pounds.

Scavengers to be employed, &c.

V. AND BE IT ENACTED, That the ſaid ſpecial commiſſioners, from time to time, ſhall employ er and capable perſons to clean the cart-way of the ſaid ſtreets, lanes and alleys, which are or be paved, and to remove and carry off from thence all mud, dirt, and other filth, there found, ſhall or may incommode the inhabitants, in ſuch manner and form, and at ſuch time or times, as ſaid ſpecial commiſſioners ſhall direct and appoint, which ſaid perſons, ſo agreed with and em- ed, ſhall take upon themſelves the office and duty of ſcavengers, purſuant to their reſpective ements, under the penalty of five pounds for every neglect or refuſal; and if any ſuch ſcavenger neglect or refuſe to carry off and remove all and every part of the mud, mire, dirt, and other found in the ſtreets, lanes and alleys aforeſaid, agreeable to his contract with ſaid ſpecial com- oners, he ſhall forfeit and pay any ſum not exceeding twenty-five ſhillings, for every ſuch offence.

Inhabitants to remove dirt, &c.

VI. AND BE IT ENACTED, That the inhabitants and occupiers of the houſes and lots, and the ons, porters, or other keepers of churches, meeting-houſes, or other public buildings or burying- unds, fronting the paved ſtreets, lanes and alleys, within the ſaid town, ſhall rake and ſweep into cart-way the dirt, ſoil, and other filth, to be found on the brick pavements or foot-way before r reſpective houſes, lots, dwellings, or public buildings, or cauſe the ſame to be done, once at in every week; that is to ſay, on every Friday, when the ſnow or ice on the ſaid pavements or t-way does not prevent, that it may be removed by the ſaid ſcavengers on the ſame day or the day owing, under the penalty of any ſum not exceeding five ſhillings for every neglect or refuſal.

Shavings, &c. not to be laid on pavements, &c.

VII. AND BE IT ENACTED, That no perſon or perſons whatſoever ſhall caſt or lay, or cauſe to be or laid, any ſhavings, aſhes, dung, or other filth or annoyance, on any pavements within the town, under the penalty of any ſum not exceeding twenty ſhillings for every ſuch offence; but ry ſuch perſon or perſons, having ſuch ſhavings, aſhes, dung, or other filth, ſhall keep the ſame ſome other place, until the ſcavenger ſhall attend with his cart to carry off the ſame, which he is hereby

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hereby enjoined to do once in every week at leaſt, if required, at the door of every ſuch perſon, u the penalty of five ſhillings for every ſuch neglect or refuſal; provided always, that every ſuch pe having ſuch mud, dung, aſhes, or other filth, ſo to be carried off, ſhall pay to every ſuch ſcaver for all ſuch filth, and no other, as ſhall be occaſioned by, or ariſe from, his particular trade, buſ or occupation, and is not incident to common houſekeeping, at ſuch rate as ſhall be from time to ſettled and aſcertained by the ſpecial commiſſioners, unleſs he, ſhe or they, ſhall chooſe to carr the ſame at his, her or their own expence, in another manner.

Tenant to pay for the owner, &c.

XII. AND BE IT ENACTED, That if the owner of any houſe or lot which ſhall be rated and aſ by virtue of this act, or before whoſe front the foot-pavement ſhall be hereafter directed to be p amended or repaired, by the ſaid ſpecial commiſſioners, ſhall not reſide within the town, the te or perſon occupying the ſame, ſhall pay his the ſaid owner's rate and aſſeſſment, and pave and r the foot-way before the front of his poſſeſſion; and the taxes paid in purſuance of this act, an money expended by ſuch tenant in paving and repairing the foot-way aforeſaid, in obedience t order of ſpecial commiſſioners, ſhall be allowed by the owner, and defalked by the tenant out o rent then due, or thereafter to become due; and if any owner of any houſe and lot, before w front the cart-way ſhall be paved in purſuance of this act, or if any tenant of any ſuch houſe an ſhall refuſe and neglect to pave and repair the foot-way agreeable to the direction and order afor every ſuch owner, if a reſident within the ſaid town, and every ſuch tenant of ſuch nonre owner, ſhall forfeit and pay, for every foot fronting his poſſeſſion ſo neglected to be paved, th of one ſhilling; and that the ſaid ſpecial commiſſioners ſhall make, amend and repair the ſame of the public monies by this act directed to be raiſed, and ſhall recover the ſame of ſuch re owner, or tenant of ſuch nonreſident owner reſpectively, as the caſe may require, in a ſum way, before a magiſtrate, in the ſame manner as debts not exceeding five pounds, any law t contrary notwithſtanding.

Penalty for throwing down rubbiſh, &c.

XIII. AND BE IT ENACTED, That if any perſon or perſons ſhall, after the publication of thi caſt or throw down, out of any cart, waggon or other carriage, any rubbiſh, dirt or earth, in any p ſtreet, lane or alley, of the town of Baltimore, ſave only in ſuch parts and places as ſhall be appo and agreed on by the ſpecial commiſſioners, every ſuch offender ſhall forfeit and pay, for every offence, the ſum of five ſhillings, and pay the coſts of removing the ſame; and if any perſon o ſons, ſave the ſaid ſpecial commiſſioners, ſhall hereafter remove or pull down any bar, chain, or fence, which the ſaid ſpecial commiſſioners ſhall hereafter cauſe to be ſet up, in or acroſs th ſtreets, lanes or alleys, for the preſervation of the pavement then newly made, every ſuch p who ſhall ſo offend ſhall forfeit and pay the ſum of three pounds for every ſuch offence.

On diſtillers, &c. diſcharging nauſeous liquors, &c.

XIV. AND BE IT ENACTED, That if any diſtiller, ſoap-boiler or tallow-chandler, within th town, ſhall diſcharge any foul or nauſeous liquor, from any ſtill-houſe or work-ſhop, ſo that ſu quor ſhall paſs into or along any of the ſtreets, lanes or alleys of ſaid town, or if any ſoap- or tallow-chandler ſhall keep, collect or uſe, or cauſe to be kept, collected or uſed, in any built parts of the town, any ſtale, putrid or ſtinking fat, greaſe, or other offenſive matter, or butcher ſhall keep at or near his ſlaughter-houſe any garbage or filth whatſoever, ſo as to anno neighbour, or any perſon whatſoever, he, ſhe or they, being thereof convicted before any juſtice peace of the ſaid town, ſhall forfeit and pay, for every ſuch offence, the ſum of thirty-five ſhi

On perſons laying dead carcaſes on the common, &c.

XV. AND BE IT ENACTED, That if any perſon or perſons ſhall, after the publication hereo carry, draw out or lay, any dead horſe or other dead carcaſe, or any excrement or filth from privies or neceſſary-houſes, and ſhall leave ſuch carcaſe, carrion or filth, without burying the ſufficient depth in the ground, on any part of the commons of ſaid town, on or near any ſtreets, lanes, alleys or highways, within the ſaid town, or diſtrict adjoining the town, every or perſons ſo offending, and convicted thereof before any juſtice of the peace, ſhall forfeit an for every ſuch offence, the ſum of thirty ſhillings.

On throwing filth into the river, &c.

XVI. AND BE IT ENACTED, That if any perſon or perſons ſhall, after the publication here or throw any carrion or filth whatſoever, or other annoyance or obſtruction, into the river town, or into the baſon, and ſhall thereof be convicted before any juſtice of the peace, ever offender ſhall, for every ſuch offence, forfeit and pay a ſum of money not exceeding forty ſh as the ſaid juſtice ſhall think reaſonable.

A clerk to be appointed, &c.

XVII. AND BE IT ENACTED, That the ſaid ſpecial commiſſioners, the better to enable th diſcharge the duties enjoined them by this act, ſhall chooſe and employ a fit and able perſon fo

who ſhall make ſuch entries and keep ſuch accounts as he ſhall be directed to do by the ſpecial miſſioners, for which he ſhall be allowed ſuch a reaſonable reward as the ſaid ſpecial commiſſion- ſhall agree to, which ſhall, by an order from the ſaid ſpecial commiſſioners, be paid him by the ſurer.

VIII. AND BE IT ENACTED, That the ſpecial commiſſioners have full power to appoint a perſon perſons properly qualified to act as collector or collectors of the taxes before mentioned, who is to inſtructions from the ſpecial commiſſioners, to return in a book the perſons rated and the things ed, to call upon the county commiſſioners of the tax to know the yearly valuation of property n ſaid town, and to regulate the tax upon every hundred pounds worth of property by ſaid va- on. And a collector, &c.

IX. AND BE IT ENACTED, That appeals may be made by the perſons to the ſpecial commiſſion- thirty days after the aſſeſſments are made, and the ſaid ſpecial commiſſioners are hereby required et thirty days after notice being given them by the appellants, and examine the perſons appeal- pon their legal qualification, concerning the cauſe of their appeal, which qualification they are y authoriſed to adminiſter, and upon ſuch examination, or other proof, they are hereby empow- to diminiſh or add to ſuch perſon's rate or aſſeſſment, as to them ſhall ſeem juſt and reaſonable. Commiſſioners to hear appeals, &c.

X. AND BE IT ENACTED, That the ſaid collector or collectors ſhall, once in ſix weeks at leaſt, r a juſt account of, and bring in and pay to the treaſurer, all ſuch ſums of money as he or they have received; and the ſaid treaſurer ſhall give receipts to the collector or collectors for what they ſhall ſo bring in and pay, which receipts ſhall be the collector's diſcharge for ſo much; he ſaid treaſurer ſhall, from time to time, ſignify in writing to the ſpecial commiſſioners, how the collector or collectors have brought in and paid; and when the collector or collectors, or f them, are negligent, or refuſe to do their duty, the treaſurer is hereby required to ſignify the by way of complaint, to the ſpecial commiſſioners aforeſaid. Collector to account, &c.

XI. AND BE IT ENACTED, That the ſaid collector or collectors make out a duplicate of the per- nd things aſſeſſed, with the amount of the annual aſſeſſment, and lodge the ſame with the trea- or ſpecial commiſſioners. To make out duplicates, &c.

XII. AND BE IT ENACTED, That the collection be made monthly, quarterly or yearly, or in more payments, as the ſpecial commiſſioners may direct, notices being previouſly given in the ore news-papers to this effect. How collection is to be made.

XIII. AND BE IT ENACTED, That if upon complaint of the treaſurer to the ſpecial commiſſion- ſhall appear, that the ſaid collector or collectors, having taken upon him or themſelves the enjoined him or them by this act, ſhall refuſe or neglect to pay the ſaid ſums of money which they ſhall be reſpectively charged to collect, within the time or times limitted by the ſpecial ſioners, he or they, ſo refuſing or neglecting, ſhall forfeit and pay to the treaſurer the ſum of unds, and ſhall alſo pay all the arrearages of ſuch aſſeſſment which he was appointed to collect, levied by a warrant under the hand and ſeal of the ſaid commiſſioners, and directed to the of Baltimore county, who is hereby authoriſed and empowered to execute ſuch warrant upon ods and chattels of ſuch collector or collectors, and in caſe goods and chattels cannot be found, o impriſon ſuch collector or collectors, until payment be made; and every collector ſo diſtrain- and having made full ſatisfaction as aforeſaid, is hereby empowered, without any further war- to diſtrain for his own uſe upon all ſuch as neglect or refuſe to pay the arrearages due; and the llector or collectors ſhall, for his or their trouble, retain in his or their hands ſix-pence in the for all ſums of money by him or them reſpectively collected. Penalty on neglect, &c.

XIV. AND BE IT ENACTED, That in caſe the vendue-maſter refuſes to come to a ſettlement, rly, half yearly, or to pay what may appear to be juſtly due on his ſales, he ſhall forfeit, ery ſuch offence, twenty-five pounds, or a ſum not exceeding forty pounds, as may be ad- by any two impartial perſons, one to be choſen by the ſaid ſpecial commiſſioners, and the by the vendue-maſter, the ſum adjudged to be recovered as in caſe of debt not exceeding five And on vendue-maſter, &c.

XV. AND BE IT ENACTED, That the ſpecial commiſſioners are authoriſed to call upon the town ſioners, for a final ſettlement of the monies by them collected for repairing the ſaid ſtreets, caſe of refuſal to ſettle, the town commiſſioners ſhall forfeit twenty-five pounds; and in Commiſſioners to ſettle, &c.

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caſe the ſaid town commiſſioners ſhall refuſe paying to the ſpecial commiſſioners the money due a ſettlement, they ſhall forfeit double the ſum ſo due, to be recovered as hereafter directed, an plied to the purpoſe of this act.

Treaſurer to receive, &c.

XXVI. AND BE IT ENACTED, That the treaſurer is hereby empowered and required to recei the money ariſing, as well from the aforeſaid aſſeſſment, as alſo the fines and forfeitures imp and all other monies ariſing by virtue of this act; and the ſaid treaſurer ſhall keep a diſtinct ac of all the rates and aſſeſſments made, or to be made, as aforeſaid, and alſo all monies by him ceived, and alſo of all diſburſements and payments he ſhall make by orders from the ſpecial co ſioners, whoſe orders to the ſaid treaſurer ſhall be ſufficient diſcharges, which orders the ſpecial miſſioners, or a majority of them, are hereby empowered to draw for the uſes and purpoſes i act.

To give bond, &c.

XXVII. AND BE IT ENACTED, That the ſaid treaſurer, before he enters upon the executi his ſaid office, is hereby required to give a bond, with one or more ſufficient ſureties, to be by the ſaid ſpecial commiſſioners approved of, in the penalty of two thouſand pounds current m with condition for the payment of all ſuch monies which ſhall come to his hand by virtue of t any other act, according to the orders drawn on him as aforeſaid, and not otherwiſe, and for th performance of his duty in the truſt hereby committed by him; and the ſaid treaſurer ſhall y bring in his accounts, and ſettle the ſame with the ſpecial commiſſioners aforeſaid, which ſa counts, ſo ſettled and adjuſted, be publiſhed in the Baltimore news-papers, for the ſatisfactio information of the citizens thereof; and the ſaid treaſurer ſhall be allowed for his trouble in ke ſuch accounts, and receiving and paying all ſuch money as ſhall come into his hands as treaſur the rate of three-pence in the pound.

Comptrollers to be elected, &c.

XXVIII. BE IT ENACTED, That the inhabitants of Baltimore-town, qualified to vote for gates, elect annually by ballot, at the election for delegates, three perſons, inhabitants of ſaid ſkilful in accounts, and men of integrity and capacity, who ſhall be called Comptrollers of Acc who are to examine, and certify that they have examined, and approve or diſapprove, the annu counts of the commiſſioners directed to be publiſhed in the news-papers, which approbation o approbation ſhall alſo be publiſhed with the account.

To aſcertain commiſſioners pay, &c.

XXIX. BE IT ENACTED, That the aforeſaid perſons or comptrollers are hereby directe authoriſed to aſcertain what pay the ſpecial commiſſioners ſhall be entitled to for the time emp in diſcharge of the duties enjoined them by this act, and that the ſum agreed upon and certifi the ſaid comptrollers be paid ſaid ſpecial commiſſioners by the treaſurer, and that this ſettleme annual, and the pay confined to the acting ſpecial commiſſioners.

Treaſurer may be removed, &c.

XXX. AND BE IT ENACTED, That if the ſaid treaſurer ſhall refuſe or neglect to do his du ſhall be removed from his ſaid office by any four or more of the ſaid commiſſioners; and in c removal, or if the ſaid treaſurer ſhall happen to die, the ſpecial commiſſioners to elect a ſu ſor; and the treaſurer ſo removed, or the executors or adminiſtrators of the treaſurer ſo dying, deliver to the ſucceeding treaſurer all books, public accounts and papers, belonging to the ſaid whole and undefaced, and ſhall likewiſe pay to the ſaid ſucceeding treaſurer all ſuch ſum or ſu money as he may have received, or have been paid to him as treaſurer, under the penalty o thouſand pounds.

How fines, &c. are to be recovered, &c.

XXXI. AND BE IT ENACTED, That all the penalties, fines and forfeitures, impoſed by t any other act, the manner of levying and recovering of which is not before directed, if not ex ing five pounds, ſhall be recovered before one of the juſtices of the peace; and if ſuch pen fines and forfeitures, do exceed the ſum of five pounds, then to be recovered by action of debt plaint or information, in any county court within the ſtate, wherein no eſſoin, protection, or of law to be allowed; all which recoveries ſhall be had in the name and by the treaſurer ſaid, to whom the ſums recovered ſhall be paid, to be by him applied to the uſes aforeſaid, to covered with coſts of ſuit.

XXXII. AND, whereas the paving the ſtreets of Baltimore-town will be attended with a expence to the inhabitants thereof, and it is neceſſary that due care be taken to preſerve the ments made or to be made from any and every avoidable and unneceſſary injury: And wh nothing can be more deſtructive to pavements of any kind, and particularly to thoſe newly than the carrying large and exceſſive burthens in carriages, the felloes of the wheels wh

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of ſmall breadth, whereby the ſtones of ſuch pavements are looſened and torn up, and the ments themſelves in a great meaſure ruined; for remedy whereof, BE IT ENACTED, That no gon, wain or cart, whatſoever, belonging to any perſon whatſoever, reſiding or inhabiting with- he ſaid town, or within three miles of the ſaid town, (a) ſhall travel, paſs or be drawn, on any he paved parts of the ſaid town, with any greater number of beaſts of draught than three if a wheeled carriage, and if a two-wheeled carriage with any greater number of beaſts of draught two, unleſs the felloes of ſuch wheels ſhall be of the breadth or gauge of four inches from ſide de at the leaſt; and that no ſuch wheeled carriage belonging to perſons reſiding as aforeſaid, travel or be drawn in the ſaid town, with or by any number of oxen whatſoever, unleſs the es of the wheels thereof ſhall be of the breadth or gauge of four inches from ſide to ſide at the carts with one horſe, ſtage and light travelling waggons for paſſengers, excepted; and that owner or owners of ſuch wheel carriage, which ſhall paſs or be drawn contrary to the directions meaning of this act, ſhall, for every ſuch offence, forfeit and pay the ſum of five pounds, or erwiſe ſhall forfeit any one of the beaſts of draught drawing ſuch wheel carriage, (excepting the ght or thill horſe,) together with the geers, bridles, halter and other accoutrements, to ſuch beaſt raught belonging.

Carriages to have broad wheels, &c.

(a) By 1796, ch. 42, the reſtrictions and regulations in this ſection are confined to waggons, &c. *usually kept and employed in* ſaid limits, and are not to extend to waggons, &c attached to any farm, plantation or eſtate, lying out of the ſaid limits, and uſually employed within the ſame, although belonging to perſons reſiding in the town, or within three miles thereof, and ng occaſionally in the paved parts of the town.

XXIII. AND BE IT ENACTED, That the perſon or perſons making ſuch ſeizure or diſtreſs as ſaid, ſhall deliver the horſe or ox ſo ſeized and diſtrained, with the accoutrements, into the dy of ſome one of the conſtables of ſaid town, and every ſuch conſtable is hereby required to and receive and ſafely keep the ſame, till the perſon or perſons making ſuch ſeizure ſhall e proof, upon oath or affirmation, before ſome juſtice of the peace, before whom ſuch proof be made to their ſatisfaction, is hereby empowered and required to iſſue his precept to conſtable, to ſell and diſpoſe of the beaſt ſo forfeited, with the accoutrements, at public ion or vendue, firſt giving due notice of ſuch ſale, and the money ariſing therefrom the conſtable ſhall pay, one moiety thereof to the party or parties ſo ſeizing and diſtraining the beaſt, and the other moiety to the ſpecial commiſſioners, or the treaſurer, to be applied to- ds paving the ſtreets, after deducting from the whole ſuch reaſonable charges as the juſtice allow; but, in caſe no ſuch proof ſhall be made within twenty-four hours after ſuch ſeizure, then ſuch beaſt ſhall be returned to the owner or owners thereof without any coſts or ex- ces.

Beaſts ſeized to be delivered, &c.

XXIV. AND BE IT ENACTED, That if any perſon or perſons ſhall hinder, prevent or obſtruct the uring or gauging of the felloes of ſuch wheels, or the ſeizing or diſtraining of any horſe or beaſt raught hereby directed to be forfeited, every ſuch perſon or perſons ſo offending ſhall, for every offence, forfeit and pay the ſum of ten pounds, being thereof legally convicted in any county court in this ſtate; provided that it ſhall appear, that the felloes of ſuch wheels were originally made the full breadth preſcribed by this act, and to have become leſs by wear or uſe, except the ſame be leſs than three inches and one half wide, the penalties and forfeitures hereby impoſed on the er or owners ſhall not be incurred, nor the ſame recovered in manner aforeſaid, or in any other ner; provided alſo, that nothing in this act ſhall be deemed, held or conſtrued, to debar or pre- any perſon or perſons, reſiding as aforeſaid, from tranſporting in his or their own waggon, wain art, for his, her or their own uſe, but not for hire, any matters or things whatſoever, with two s of draught only, except ſtones, bricks, lime, loam, ſand, gravel, iron, lead, cord-wood, coal, ifling, timber and boards, provided ſuch matters and things do not exceed in any one load half a weight, on or through any of the paved parts of the ſaid town, and with any greater number of s of draught within or through any other parts of the ſaid town not paved, although the felloes he wheels of ſaid waggon, wain or cart, be not of the dimenſions aforeſaid, any thing in this act he contrary notwithſtanding.

Penalty on perſons hindering, &c.

XXXV. AND BE IT ENACTED, That no dray or other carriage, uſed for any tranſportation of mer- ndiſe from one part of the town to the other, by any porter or drayman, ſhall travel or be drawn the paved parts of the ſaid town, unleſs the felloes of the wheels of ſuch dray or other carriage ll be of the breadth or gauge above directed, under the penalty of five pounds, to be paid by the ner of ſuch dray or other carriage, and to be recovered as debts not exceeding five pounds, one ety thereof to the perſon who ſhall ſue for the ſame, the other for paving or repairing the ſtreets; vided always, that this act is not meant to extend to carriages now in uſe.

Drays, &c. not to paſs with narrow wheels, &c.

CHAP. XVII.

Carters to have marked ſtandards, &c.

XXXVI. AND BE IT ENACTED, That every waggoner, carter or drayman, employed to wood for the inhabitants of ſaid town, ſhall have in his ſaid waggon or cart, of his own proper ſufficient number of hewn ſtandards, for preventing the wood from falling off, marked with the i letters of his chriſtian and ſurnames on the outer ſide of the ſaid ſtandards, under the penalty o ſhillings; and that if any waggoner, carter or drayman, ſhall take and appropriate any wood be ing to any of the inhabitants aforeſaid which he ſhall be hired to haul, or ſhall not deliver it t true owner or purchaſer thereof, every ſuch perſon ſo offending ſhall forfeit and pay two ſhilling every ſtick or piece of wood ſo appropriated or detained from the owner or purchaſer thereof, firſt legally convicted of the ſaid offence before any juſtice of the peace.

Proviſo.

XXXVII. PROVIDED, That if any perſon ſhall conceive himſelf or herſelf aggrieved by judgment given by virtue of this act, if the ſame ſhall exceed the ſum of forty ſhillings, or the thereof, it ſhall and may be lawful, within the ſpace of ſix days next after judgment, but not to appeal therefrom to the next county court to be held for ſaid county, he, ſhe or they, entering into recognizance, with one ſufficient ſecurity, in ſuch ſum as ſhall be ſufficient to an the ſaid penalty or value of the thing forfeited, together with all coſts as ſhall be awarded, to ſecute the ſaid appeal to effect, and to abide the order and judgment of the ſaid court, which court is hereby authoriſed to receive the ſaid appeal, and to proceed therein according to uſage practice in caſes of appeals.

Proviſo.

XXXVIII. PROVIDED ALSO, That if any perſon or perſons be ſued or proſecuted for any done in purſuance of this act, he, ſhe or they, may plead the general iſſue, and give this act an ſpecial matter in evidence for their juſtification; and if the plaintiff or proſecutor become no or ſuffer a diſcontinuance, or if any verdict paſs againſt him, the defendant ſhall have treble co be recovered as in caſes where coſts by law are given to defendants.

Perſons to be appointed, &c.

XXXIX. AND, whereas the laws to prevent the going at large of hogs in the ſtreets, lanes an leys, of ſaid town, are found inſufficient, and as great injury ariſes to the ſtreets from ſaid animals g at large, therefore, BE IT ENACTED, That the ſpecial commiſſioners appoint a proper perſon or ſons to ſeize all the hogs found at large in the ſaid ſtreets, lanes or alleys, and ſell the ſame, for th of paving and repairing the ſaid ſtreets, paying to the perſons ſo ſeizing ſaid hogs a reaſonable rew

Special commiſſioners to be elected, &c.

XL. AND, in order to perpetuate the ſaid ſpecial commiſſioners for the above-mentioned poſes, BE IT ENACTED, That it ſhall be lawful for the inhabitants of the town of Baltimore, q fied to vote for delegates, or having real property in ſaid town above thirty pounds, on the Monday in October, in the year of our Lord one thouſand ſeven hundred and eighty-ſix, to ele ballot, at the uſual place of holding elections, nine proper perſons, qualified to be delegates fo general aſſembly, to be electors of the ſaid ſpecial commiſſioners; and that the electors ſo ch ſhall meet at the court-houſe, or other public building, and proceed to elect by ballot, either o their own body, or the inhabitants of the town at large, ſeven ſpecial commiſſioners; that the ſ who ſhall, on ſtriking the ballots, have the greateſt numbers in their favour, ſhall be declared elected, and their names and election ſpecified in the public news-paper by the ſaid electors, b two or more ſhall have an equal number of ballots in their favour, then the election to be determ in the manner preſcribed in the form of government for the election of ſenators; that the pe elected muſt have been reſidents in the ſaid town three whole years next preceding the election, muſt have real or perſonal property in the ſaid town above the value of five hundred pounds cu money; that the commiſſioners ſo elected may and ſhall continue in the office for the ſpace of years, unleſs removed by death, reſignation or otherwiſe, and that an election for ſpecial com ſioners be held every five years on the firſt Monday in October.

Commiſſioners continued, &c.

XLI. BE IT ENACTED, That the ſpecial commiſſioners, appointed by an act, entitled, (a) A for the ſpeedy application of the monies appropriated for repairing the ſtreets in Baltimore-tow Baltimore county, are hereby continued ſpecial commiſſioners, and empowered to diſcharge al the ſeveral duties, matters and things, required by this act, till the firſt Monday in October, ſe teen hundred and eighty-ſix, and no longer, unleſs re-elected.

(a) April, 1782, ch. 39.

Electors to take an oath, &c.

XLII. AND BE IT ENACTED, That the electors, immediately on their meeting, and before proceed to the election of the aforeſaid officers, take an oath, to elect, without favour or partia ſuch perſons for ſpecial commiſſioners, as they, in their judgment and conſcience, believe beſt q fied for ſaid office.

XLIII.

XLIII. AND BE IT ENACTED, That the ſaid ſpecial commiſſioners, ſo choſen, may, and are hereauthoriſed, in caſe of reſignation, diſqualification, death or removal, of any member or members, proceed to elect from the ſaid town in his or their room, others, in the manner preſcribed for the lors, to ſerve till the next election. How vacancies are to be filled.

XLIV. AND, whereas it is of importance that the ſeveral parts of the town ſhould as nearly as ble be equally repreſented; therefore, BE IT ENACTED, That the electors have ſpecial care, in election of the ſpecial commiſſioners, to make a choice anſwerable to this purpoſe, having a ect at the ſame time to integrity, induſtry and abilities. Town to be equally repreſented, &c.

XLV. AND BE IT ENACTED, That the ſpecial commiſſioners are hereby made a body corporate, the name of Special Commiſſioners for Baltimore-town, with all the privileges of a corporate body, to have one common ſeal and perpetual ſucceſſion. Commiſſioners incorporated.

XLVI. AND BE IT ENACTED, That all fines and monies appropriated by former acts, or to be propriated to the repair of ſaid ſtreets, be for ever hereafter collected by order of the ſpecial comioners, and applied agreeable to the inſtruction of this act. To apply fines, &c.

XLVII. BE IT ENACTED, That if any perſon or perſons ſhall hereafter make and ſet up, or ſhall e to be made or ſet up, in any ſtreet of fifty feet wide or upwards, within the ſaid town, any ch, cellar, door or ſtep, which ſhall extend beyond the diſtance of four feet three inches in ſuch ets, or a proportionate diſtance into any narrower ſtreet; and if any perſon or perſons ſhall here- make and ſet up any bulk, jut-window, or incumbrance whatſoever, whereby the paſſage of any et, lane or alley, ſhall be obſtructed; or ſhall ſo place, or cauſe to be placed, any ſpout or gutter, reby the paſſage of any ſtreet ſhall be obſtructed or incommoded; any perſon ſo offending, and g legally convicted thereof before any juſtice of the peace, ſhall, for every ſuch offence, forfeit pay the ſum of thirty ſhillings, and ſhall forthwith remove or cauſe the ſaid nuiſance to be reved. Porches, &c. not to be made, &c.

XLVIII. BE IT ENACTED, That the owner or owners of any houſe within the ſaid town, having, the publication hereof, any porch, cellar door or ſtep, extending into any ſtreet, lane or alley, ond the limitation aforeſaid, or having fixed or faſtened to ſuch houſe any bulk, jut-window, or er incumbrance whatſoever, ſhall yearly and every year pay, to ſuch perſon or perſons as ſhall appointed by the ſpecial commiſſioners to receive and collect the ſame, ſuch ſum or ſums of money the ſaid ſpecial commiſſioners and the aſſeſſors of ſaid town ſhall ſettle and aſſeſs, as a full comlation to the public, until ſuch porch, cellar door or ſtep, to him, her or them, reſpectively nging, ſhall be reduced to the limits aforeſaid, or till removed or taken away; and every owner owners of any houſe or houſes, whereunto any ſpout or gutter ſhall, at the time of publication eof, be ſo fixed and placed, that the waters thereby diſcharged may incommode perſons paſſing the ſtreets, lanes or alleys, ſhall, and they are hereby required, forthwith to remove, or effectually lter or amend the ſame; and the ſaid ſpecial commiſſioners are hereby further authoriſed and emwered, to remove, or cauſe to be removed, all manner of obſtruction to the paſſage through the ſtreets, lanes and alleys, which they ſhall find remaining in the ſame an unneceſſary length of e. If now made to be paid for, &c.

XLIX. AND BE IT ENACTED, That the ſpecial commiſſioners are hereby empowered to licenſe all blic exhibitions within ſaid town, and to direct their treaſurer to receive the money fixed on by the ſpecial commiſſioners for ſuch licences, and make out a licence under the common ſeal. Exhibitions to be licenſed, &c.

See the note under the firſt ſection.

L. AND BE IT ENACTED, That ſhould any perſon or perſons, not authoriſed by this act, exhibit ſhew, play, or public entertainment, without a licence firſt obtained, he, ſhe or they, ſhall for- a ſum not exceeding twenty-five pounds, to be recovered as debts not exceeding five pounds. Penalty on exhibiting without.

LI. AND BE IT ENACTED, That the ſpecial commiſſioners are hereby directed to enter upon the ving of the whole, or ſuch parts of the ſtreets, lanes and alleys, of ſaid town, as ſoon as may be er the publication hereof, as appears to them eſſential to the growth and proſperity of the ſaid n. Streets to be paved, &c.

LII. AND BE IT ENACTED, That the ſpecial commiſſioners are hereby empowered to continue all as many of the ſpecific taxes above mentioned, as may be judged leaſt injurious to the welfare Taxes may be continued.

of

CHAP. XVII.

of the town, and towards a permanent fund to keep in repair the ſtreets, and for the purpoſe this act.

By the act to erect Baltimore-town into a city, &c. 1796, ch. 68, it is declared, that the powers veſted in the town com oners, ſpecial commiſſioners and port-wardens, (except thoſe of the town commiſſioners to hold elections agreeably to the c tution,) ſhall ceaſe as ſoon as that act is in force; and the corporation of the city of Baltimore is thereby declared to poſſ powers veſted in ſuch commiſſioners, &c. with the above-mentioned exception. The records, papers, &c. to be transfer the corporation; and all acts of the legiſlature then in force, were to continue, but the authorities thereby delegated to ſuch miſſioners, &c. to be transferred to the corporation. By a ſupplement, 1797, ch. 54, power is given to the corporation to and paſs all ordinances neceſſary for paving and keeping in repair the ſtreets, &c. But no ordinance having yet paſſed, e to levy a further ſum on the preſent rate of taxes, this act, and others, reſpecting the paving of the ſtreets, are conſide neceſſary to be inſerted at large, although many of the proviſions contained in them are materially altered.

CHAP. XVIII.

Paſſed 15th of Jan. 1783.

A Supplement to the act to empower Thomas Contee to ſettle and collect the debts due to Wil Molleſon, and William and Robert Molleſon, or either of them, and to apply the ſame. TBH. No. A. fol. 259. A Private Act.

CHAP. XIX.

An ACT for the relief of the family of William Edmiſton. Lib. TBH. No. A. fol. 261. A vate Act.

CHAP. XX.

An ACT to make good the depreciation of pay to captain Philemon Griffith. Lib. TBH. No fol. 261. A Private Act.

CHAP. XXI.

An ACT to make valid a deed of bargain and ſale executed by Baſil Burgeſs, late of Anne-Aru county, deceaſed, to Daniel Bowley, of Baltimore county. Lib. TBH. No. A. fol. 262. Private Act.

CHAP. XXII.

An ACT to aſcertain the property of the citizens of this ſtate carried off or deſtroyed by the my during the preſent war. Lib. TBH. No. A. fol. 263.

CHAP. XXIII.

An ACT concerning eſtates tail. Lib. TBH. No. A. fol. 264.

Preamble.

WHEREAS common recoveries are conſidered as a mode of conveyance by which tenan tail are enabled to convey and diſpoſe of their lands and tenements, but the ſaid mod conveyance is attended with an heavy expence and great inconvenience, by reaſon of a neceſſary chargeable attendance in many caſes in the general court;

How eſtates tail may be conveyed, &c.

II. BE IT ENACTED, *by the General Aſſembly of Maryland*, That any perſon or perſons, ſeize any eſtate tail, in *poſſeſſion*, *reverſion* or *remainder*, ſhall have full power to grant, bargain, ſell convey, any lands, tenements or hereditaments, whereof he, ſhe or they, ſhall be ſo ſeized, by manner and form of conveyance or aſſurance as any perſon ſeized of an eſtate in fee-ſimple may the laws of this ſtate, grant, bargain, ſell and convey, any lands, tenements or hereditam whereof ſuch perſon is ſeized of an eſtate in fee-ſimple; and all and every ſuch grants, barg ſales and conveyances, of any perſon or perſons ſo ſeized in tail, ſhall be good and available, t intents and purpoſes, againſt all and every perſon and perſons, whom the grantor, bargainor or dor, might or could debar by any mode of common recovery, or any ways or means whatſoever, law or uſage to the contrary notwithſtanding.

CHAP. XXIV.

A Supplement to the act (a) for the liquidation and payment of de againſt perſons convicted of treaſon. Lib. TBH. No. A. fol. 2

(a) April, 1782, ch. 36.

Preamble.

WHEREAS many perſons may have claims againſt perſons convicted and attainted of tre and Britiſh ſubjects, whoſe property has been confiſcated and ſeized by this ſtate, and t is no mode by which ſuch claims can be liquidated and paid;

Claims to be adjuſted, &c.

II. BE IT ENACTED, *by the General Aſſembly of Maryland*, That every perſon, having any acc debt, claim or demand, againſt any ſubject convicted and attainted of treaſon, and whoſe pro has been or may hereafter be ſold by law, or any Britiſh debtor, whoſe property has been ſeize confiſcated, may lay his account, debt, claim or demand, before the auditor-general, who is h empowered and directed to liquidate and adjuſt the ſame, and the balance, if any, ſhall be ſigne

auditor, and being examined by the governor and council, may be delivered by the claimant to treaſurer of the weſtern ſhore, who is hereby directed to aſſign to him any bond or bonds, taken the ſale of the particular eſtate of which he was a creditor, that may be lodged in the treaſury, he may receive the money therefor, or a certificate, which may be diſcounted in taxes, at the on of the claimant or creditor, provided the ſame do not exceed the amount of the property ſold oreſaid.

Property to be ſold, &c.

II. AND BE IT ENACTED, That the commiſſioners appointed for the preſervation and ſale of conted Britiſh property, are hereby authoriſed and directed to make ſale, at public vendue, of ſo ch of the property of ſuch perſons confiſcated or forfeited as aforeſaid, at one year's credit, with bond and ſecurity, as will diſcharge the claims lodged as aforeſaid; which ſaid bond ſhall be ged with the treaſurer of the weſtern ſhore, and may by him be aſſigned to any claimant or credi- who had the account, claim, debt or demand, againſt the particular eſtate.

Claimant to receive a dividend, &c.

IV. AND BE IT ENACTED, That when the juſt debts againſt any particular eſtate amount to more the ſales thereof, that it ſhall and may be lawful for the claimant or creditors aforeſaid to re- a dividend, in proportion to each particular claims, giving preference to debts of ſuperior qua- and nature, as practiſed by the teſtamentary law; and when there ſhall be a ſurplus of ſuch ſales and above what is ſufficient to diſcharge the debts aforeſaid, the ſame ſhall be paid into the ſury, ſubject to the diſpoſal of the general aſſembly.

Treaſurer to grant certificates, &c.

V. AND BE IT ENACTED, That where there ſhall be confiſcation and appropriation of the properoreſaid, and not a ſufficiency unappropriated and unſold to diſcharge the debts aforeſaid, that uch caſe the treaſurer is hereby empowered and directed to grant to ſuch claimant or creditor a ificate, in current money, for his debt as aforeſaid, or in ſuch proportion as aforeſaid, ſo far as ale of the individual eſtate; which ſaid certificate ſhall be paid as other public creditors, or diſtable in taxes, at the option of the owner.

CHAP. XXV.

ACT propoſing to the citizens of this ſtate, creditors of congreſs on loan-office certificates, to cept this ſtate for payment, on the terms therein mentioned. Lib. TBH. No. A. fol. 266.

Paſſed 15th of Jan. 1783.

CHAP. XXVI.

n ACT for the defence of the bay, and to impoſe certain duties on imported articles. Lib. TBH. No. A. fol. 266.

Galley to be finiſhed, &c.

E IT ENACTED, *by the General Aſſembly of Maryland*, That the governor and the council be requeſted to procure the galley or ſhip, now building for this ſtate by Mr. Stephen Steward, to be ed as ſoon as poſſible, and to be fitted out before the firſt day of May next, and armed and ned, (with not leſs than thirty ſeamen, and ſeventy watermen and marines, if to be procured, es officers,) and provided in every reſpect for a cruiſe within the bay, and the ſea coaſt of this , until the firſt day of January, ſeventeen hundred and eighty-four; and the governor and the ncil are alſo requeſted to fit out the new barge called the Somerſet, lately built at Saliſbury, and three barges called the Terrible, the Fearnought, and the Defence, with ſails, oars, cannon and els, and cauſe them to be well manned, and in every reſpect provided for a cruiſe within the bay inlets, and in concert with the ſaid ſhip or galley, if ſo directed, until the ſaid firſt day of January; the governor and the council are authoriſed and requeſted to appoint and commiſſion a captain firſt and ſecond lieutenant, (brave and experienced ſeamen or mariners,) to command the ſaid or galley, and a captain and lieutenant of marines for the ſaid veſſel, and a captain and firſt and ond lieutenant for each of the ſaid barges, and a ſkilful ſurgeon, with one or more mates, as they think neceſſary; and they may allow to ſuch officers ſuch pay, according to their rank, in curmoney, and ſuch rations and privileges, as they may think proper; and the captain of the ſhip alley ſhall have the command of the barges when cruiſing in concert, and the captain of the ges ſhall have command as the governor and council may direct; and the governor and counare requeſted to procure all neceſſaries, and hoſpital and other ſtores, for the uſe of the officers men, and to appoint proper perſons to ſuperintend the fitting out the ſaid ſhip or galley and ges, and to enliſt the ſeamen, watermen and marines; and the governor and council may direct t bounty and pay ſhall be given to them reſpectively, and are requeſted to keep a ſeparate account the receipts and expenditures of all money applied to this ſervice; provided, that the fitting out the whole or any part of the force allotted for the defence of the ſtate be left to the diſcretion of governor and council.

II. AND,

CHAP. XXVI.

Men to be raiſed, &c.

II. AND, for the manning the ſaid ſhip or galley and barges, BE IT ENACTED, That not ex ing three hundred and fifty men, to conſiſt of a due proportion of able ſeamen and watermen, or ſons uſed to bay craft, and landſmen or marines, be raiſed by voluntary enliſtment, to ſerve on b the ſaid veſſels until the firſt day of January, ſeventeen hundred and eighty-four, or during the and every perſon entering into this ſervice ſhall witneſs the ſame, by voluntarily ſubſcribing a gagement to ſerve as a ſeaman, waterman or marine, as the caſe may be, on board the ſaid ſh galley, or ſome one of the ſaid barges, belonging to this ſtate, until the firſt day of January, ſe teen hundred and eighty-four, or during the war, unleſs ſooner diſcharged by order of the gove and council; and all officers, ſeamen, watermen and marines, engaging in this ſervice, ſhall be ject to the laſt articles eſtabliſhed by congreſs for the government of the navy of the United St except ſuch part of the articles as relate to the conſtitution of a court-martial for the trial of offi

Governor, &c. may order officers to be arreſted, &c.

III. AND BE IT ENACTED, That the governor and council, or commanding officer of the ſaid or galley and barges, may, on complaint againſt any officer for a breach or violation of the ſaid cles, order ſuch officer to be arreſted, and may iſſue their or his warrant to any number of com ſioned officers, not leſs than five nor exceeding ſeven, who ſhall be a court-martial for the tri ſuch offender; and the governor and council, or commanding officer of the ſaid ſhip or galley barges, may order a court-martial, to conſiſt of not leſs than three nor exceeding five commiſſi officers as aforeſaid, for trial of any non-commiſſioned officer, mariner or marine, for any br of the ſaid articles, and if ſuch number cannot be procured, then to ſuch officers of equal ra the navy or regular ſervice of the United States as will make up ſuch number; and every perſo pointed ſhall take the oath required by the articles eſtabliſhed for the government of the navy of United States, and on their judgment the ſame ſentence and execution ſhall take place as is decl by the ſaid articles on the judgment of a court-martial; and ſentence for any capital offence ſha be put in execution before it be confirmed by the governor; and every ſentence, with a ſumma the evidence and the proceedings thereon, ſhall be tranſmitted to him, and he may pardon any tence of death abſolutely, or on ſuch conditions as he may think proper.

Able bodied men only to be enliſted, &c.

IV. AND BE IT ENACTED, That no perſon ſhall be enliſted but ſuch as are able bodied, pe in all their limbs and ſight, of ſound health, and without ruptures or other viſible infirmities, a five feet four inches high, and above ſixteen and under fifty years of age, and if above forty, o buſt conſtitution, and natives are to be preferred, and ſuch as are connected by marriage, or property in the ſtate; and no deſerters from the Britiſh army or navy, or ſervants or apprent are to be enliſted on any account; and the officer enliſting ſhall make return of the names of perſon enliſted, the time when, and the country of his birth and place of his laſt reſidence, with ſtature, proportion and complexion, or other deſcription.

Duties to be appropriated, &c.

V. AND BE IT ENACTED, That all the duties impoſed by this act on the trade of this ſtate be appropriated for the defence of the bay and the protection of trade, and ſuch further ſum as be neceſſary, not exceeding in the whole the ſum of thirty thouſand pounds, beſides proviſions be received out of the public magazines and ſtores; and the ſaid money ſhall be procured by the of ſpecifics collected in virtue of the bill to raiſe the ſupplies for the preſent or enſuing year, appropriated to other purpoſes before the paſſing this act; and the governor and the council are queſted to ſell any of the ſpecifics, from time to time, to raiſe the money neceſſary for the ex tion of this act.

Officers, &c. to be provided for, &c.

VI. AND BE IT ENACTED, That if any officer, ſeaman, waterman or marine, ſhall loſe a limb be otherwiſe maimed or hurt, ſo as to be rendered incapable of procuring a livelihood, ſuch off ſeaman, waterman or marine, ſhall be entitled to receive the ſame proviſion and ſupport as is or hereafter be eſtabliſhed by this ſtate for its officers and ſoldiers in the ſervice of the United State

Penalty on enticing men to leave the ſervice, &c.

VII. AND, to prevent maſters of veſſels and others from enticing any ſeaman, waterman or rine, to leave the ſervice of the ſtate, BE IT ENACTED, That if any perſon ſhall perſuade or en any ſeaman, waterman or marine, to leave the ſervice of this ſtate, ſuch perſon, on convi thereof in the general or any county court, ſhall forfeit fifty pounds current money; and if any ter or mate of any veſſel ſhall hire or entertain, or conceal, or endeavour to conceal, any ſea waterman or marine, entered in the ſervice of this ſtate, knowing him to belong to ſuch ſerv ſuch maſter or mate, on conviction thereof before the governor and the council, or any one of judges of the general court, or any two juſtices of the peace, ſhall forfeit twenty pounds cur money; and if any ſeaman, or other perſon employed on board any veſſel, ſhall entertain or conc or endeavour to conceal, any ſeaman, waterman or marine, entered in the ſervice of the ſtate, know

him to belong to such service, such person, convicted thereof as aforesaid, shall thereupon be as entered in the service of the state for three years as a seaman, waterman or marine, and wages as such; and the governor and council are hereby empowered to direct a search to be of all ships or vessels on board of which they have cause to suspect such persons, enlisted as id, are entered, harboured or concealed, and to arrest and detain such ship or vessel till such is made.

II. AND, for the encouragement of the officers and soldiers of the said barges and galley, or vessel of force, BE IT ENACTED, That two thirds of any prizes or booty taken by them from emy shall be divided among the captors, in such proportion as regulated in like cases by fels. Prizes to be divided, &c.

AND BE IT ENACTED, That the said ship, or galley and barges, when fitted out and prepared ruise, shall be subject to the direction of the governor, to be by him employed in such manner shall think will best answer the intention of this general assembly. Subject to direction of governor, &c.

AND BE IT ENACTED, That if any officer of the said ship, or galley or barges, shall refuse fully the directions and commands aforesaid of the governor and council, he shall not only for- commission, but also all his wages and prize money, and shall be subject to such other punish- as a court-martial may adjudge the offence to deserve. Officers, &c. refusing to forfeit, &c.

AND, whereas it may so happen, that before the ship or galley aforesaid can be equipped, it e necessary for the governor and council to employ some vessel as a provision or store vessel to the barges, BE IT ENACTED, That the officers and men of such vessel shall be subject to and med by all the regulations aforesaid, in like manner with the officers and men of the ship, or and barges. Subject to regulations, &c.

II. AND BE IT ENACTED, That on all vessels, at entrance or clearance from or to foreign parts, shall be paid, by the master or owner thereof, the duty of one shilling per tun, to the several officers of this state, established or to be established, for the entrance and clearance of such ; and for every gallon of Madeira wine nine-pence, and other wine six-pence; and for every of rum, brandy, and other distilled spirits, which shall be imported or brought into this state, by land or water, from any port or place whatsoever, the duty or custom of four-pence shall be by the owner or importer of the same; on registers for vessels, per tun one shilling; and for every ed pounds of loaf sugar which shall be imported or brought into this state as aforesaid, from ort or place whatsoever, the duty or custom of five shillings; and for every hundred pounds of which shall be imported or brought into this state as aforesaid, from any port or place whatso- the duty of six shillings; and for all other goods or merchandise, except arms, ammunition, ing and other articles, imported on account of the United States, or any of them, and wool cotton cards, and wire for making them, salt and brown sugar, which shall be imported or ht into this state as aforesaid, from any port or place whatsoever, the duty of one *per centum ad* m on the amount per invoice of such goods and merchandise; all which said duties shall be paid e owner or importer of any of the articles or merchandise above mentioned. Duty on vessels, &c.

III. AND BE IT FURTHER ENACTED, That the master or purser of every ship or other vessel, im- any goods, wares or merchandise, liable to a duty by virtue of this act, to any port or place this state, shall, within forty-eight hours after his arrival, make a true and just report, on with the naval-officer of the said port or place, of the burthen, contents and lading, of such or vessel, with the particular marks and numbers of every cask or package whatsoever therein with spirits, wine, loaf sugar, coffee and other merchandise, liable to pay duty in virtue of act, and the quantity of such spirits, wine, loaf sugar and coffee, and the value of such other handise, and to whom consigned, to the best of his knowledge, and also where and in what port ame were laden and taken on board, upon penalty of forfeiting one hundred pounds current y. Masters, &c. to make report, &c.

IV. AND BE IT ENACTED, That no spirits, wine, loaf sugar, coffee, or other merchandise, to the said duties, imported or brought into this state by water, by any person or persons what- r, shall be landed or put on shore, until due entry made thereof with the naval-officer in such or place, and a true account of the marks and numbers of every cask and package as aforesaid, e port or place where the same was shipped or taken on board, given on oath before the said -officer, who shall certify the same upon the back of the original invoice, or a true copy thereof Merchandise not to be landed, &c.

CHAP. XXVI.

to him produced, and thereupon ſuch importer, paying the duties laid by this act, or ſecuri payment thereof within ſix months, ſhall obtain a permit, under the hand of ſuch naval-offic the landing and delivery of the ſame; and all ſpirits, wine, loaf ſugar, coffee or other merch liable to duties as aforeſaid, landed, put on ſhore or delivered, contrary to the true intent and ing of this act, or the value thereof, ſhall be forfeited and loſt, and may be ſeized or recove the ſaid naval-officer of the port or place where the ſame ſhall be put on ſhore or delivered, any other perſon or perſons whatſoever; and the owner or importer of any of the aforeſaid wine, loaf ſugar, coffee or other merchandiſe, liable to pay duties as aforeſaid, by land, ſhall like manner make due entry of the ſame, within ten days after the importation, with the nav cer aforeſaid, and give a true account thereof upon oath, and pay the duties hereby impoſed, bond, with good ſecurity, for payment thereof within ſix months, and thereupon obtain a p under the hand of the ſaid naval-officer, for ſelling or making uſe of the ſame; and all ſpirits, loaf ſugar, coffee and other merchandiſe, liable to pay duties as aforeſaid, imported by land, out ſuch entry made and permit obtained, or the value thereof, ſhall be forfeited, and may covered or ſeized by the naval-officers aforeſaid, or any other perſons whatſoever.

Proviſo.

XV. PROVIDED ALWAYS, That no perſon ſhall be required to give account upon oath of th contents of any pipe or leſſer caſk of wine, or any hogſhead or leſſer caſk of ſpirits, importe ſhall have liberty to enter a pipe of wine, or hogſhead of ſpirits, as aforeſaid, at one hundr lons, and all leſſer caſks after the ſame proportion, any thing in this act to the contrary no ſtanding.

Penalty for falſe entry, &c.

XVI. AND BE IT ENACTED, That if any perſon or perſons whatſoever ſhall, wittingly or w ly, make a falſe entry, and be thereof convicted, ſuch perſon or perſons ſhall forfeit and p hundred pounds current money.

Naval-officers may go on board veſſels, &c.

XVII. AND BE IT ENACTED, That the naval-officers aforeſaid, or any perſon by them appo ſhall have full power and authority to go and enter on board any ſhip or other veſſel, and from to bring on ſhore any articles whatſoever liable to a duty by virtue of this act, if ſuch duty paid or agreed for within ten days after the firſt entry of ſuch ſhip or veſſel, or bond, with go ſufficient ſecurity, given for payment of the ſame within ſix months next after ſuch entry, bond, if offered, the naval-officer is hereby authoriſed and required to accept and take, and ſu ticles, ſo brought on ſhore, to ſecure and detain until due payment ſhall be made, or ſecurity for the ſame as aforeſaid; and if ſuch payment or ſecurity be not made or given within tw from the time of ſuch ſeizure, the naval-officers aforeſaid is hereby empowered to ſell the ſa ſo much thereof as ſhall be ſufficient to diſcharge the ſaid duties, and five *per centum* for the c of ſuch ſeizure and ſale; provided that notice ſhall be given of ſuch ſale, by advertiſing th two weeks in the Annapolis and Baltimore news-papers; and they are alſo empowered to ſt remain on board ſuch ſhip or veſſel until all ſuch wines, ſpirits, loaf ſugar, coffee and othe chandiſe, liable to duties as aforeſaid, be diſcharged and delivered out of the ſame; and naval-officer, or any perſon or perſons deputed by them, or any of them, ſhall directly t receive any bribe, recompence or reward, in any kind whatſoever, or ſhall connive at an entry of the articles liable to a duty or cuſtom by virtue of this act, the perſon or perſons ſo o ing ſhall forfeit and pay the ſum of one hundred pounds current money, and be for ever aft abled in his or their ſaid office, and rendered incapable of holding any office or employment re to the cuſtoms within this ſtate; and the perſon or perſons giving or offering ſuch bribe, rew recompence, ſhall forfeit and pay one hundred pounds current money.

May break open houſes, &c.

XVIII. AND BE IT ENACTED, That it ſhall be lawful to and for all and every naval-offic warrant under the hand of a juſtice of peace, (which warrant ſhall not be granted but upon inf tion made to him upon oath, and accompanied with a conſtable,) to break open, in the day time houſe, warehouſe or ſtorehouſe, to ſearch for, ſeize, and carry away, any wine, ſpirits, loaf coffee and other merchandiſe, liable to a duty by this act, and for which the ſaid duty ſhall not been paid, or ſecured to be paid as aforeſaid; and if any naval-officer or conſtable ſhall be ſu moleſted for any thing done in execution of the powers hereby given them, ſuch naval-officer o ſtable may plead the general iſſue, and give this act in evidence; and if in ſuch ſuit the plaint nonſuit, or judgment paſs againſt him, the defendant ſhall recover double coſts; and in all ac ſuits or informations, to be brought, or where any ſeizure ſhall be made purſuant to this act, property thereof be claimed by any perſon as the owner or importer thereof, in ſuch caſe th *probandi* ſhall lie upon ſuch owner or claimer.

XIX.

X. AND BE IT ENACTED, That when any wine, ſpirits, ſugar, coffee or other merchandiſe, Merchandiſe liable to duty, &c.
to duties as aforeſaid, ſhall be conſigned to any perſon other than the maſter or owner of the veſſel importing the ſame, every ſuch perſon to whom ſuch articles ſhall be ſo conſigned ſhall, the importation thereof, pay to the maſter or owner of the ſhip or veſſel importing the ſame the payable for ſuch articles by this act; and if any perſon or perſons, to whom ſuch articles ſhall ſigned as aforeſaid, ſhall neglect or refuſe to pay the ſaid duty, or give bond, with ſecurity, payment thereof to the maſter or owner of the ſhip or veſſel importing the ſame, at ſuch time ſame ſhall become payable, it ſhall and may be lawful for the maſter or owner of ſuch ſhip or to detain ſuch articles until the duty ſhall be paid, or ſecured to be paid as aforeſaid.

XI. AND BE IT ENACTED, That if any importer of wines, ſpirits, loaf ſugar, coffee or other Importers to make oath, &c.
handiſe, liable to a duty by virtue of this act, ſhall deſire to tranſport the ſame from one diſtrict other within this ſtate, he ſhall, before he depart out of the diſtrict wherein ſuch articles ſhall den or taken on board, make oath before the naval-officer of the diſtrict, that he hath duly en- ſuch articles, and paid, or ſecured to be paid, all the duties by this act impoſed, and alſo de- on oath, an account of the quantity of ſuch wines, ſpirits, loaf ſugar and coffee, and alſo of value of ſuch other merchandiſe, and that he will not take, or ſuffer to be taken, on board the ſhip, boat or other veſſel, any more of the ſaid articles than in the ſaid account ſhall be ſpecified, ſhall likewiſe take a certificate from ſuch naval-officer of the account ſo delivered, and that ſuch hath been made thereto; which certificate being produced to the naval-officer in the diſtrict to the ſaid articles ſhall be tranſported, ſhall be a ſufficient warrant for the owner thereof to ſell ame in ſuch other diſtrict; and all articles whatſoever, on which there is a duty, which ſhall be ported by water from one diſtrict to another, and landed or ſold, without producing ſuch certi- as aforeſaid to the naval-officer in whoſe diſtrict the ſame ſhall be tranſported, ſhall be liable to ized and forfeited.

XII. AND BE IT ENACTED, That if any perſon or perſons ſhall pay any of the duties accruing Abatement to be made, &c.
by virtue of this act, at the time of making the entries hereby required with the naval-officer, old or ſilver coin current in this ſtate, of his or their own importation in the ſaid ſhip or veſſel, time of ſaid entry, and ſhall make oath that he or they did import the ſame, and did not carry of this ſtate with any intent to bring it back again and obtain a benefit thereby, ſuch perſon erſons ſhall have an abatement of twenty-five *per centum* on all duties ſo paid and ſatisfied, and naval-officer is hereby required to make ſuch allowance for money ſo imported and paid.

XIII. AND, to prevent delays in the payment of the ſaid duties, BE IT ENACTED, That where How duties are to be recovered, &c.
perſon ſhall become bound for the payment of the ſaid duties impoſed by this act, and ſhall not he ſame at the time limitted, whether ſuch bond be payable to the ſtate or the naval-officer, it and may be lawful to and for the ſaid naval-officer to ſue out of the general court, or the court county wherein ſuch perſon or his ſecurities reſpectively reſide, one or more writs of *ſcire* in the name of the ſtate, returnable to the ſaid court, againſt the perſon or perſons chargeable the ſaid duties, and his or their ſecurities, their executors or adminiſtrators, to ſhew cauſe why tion ought not to iſſue againſt him, them, or any of them, for the duties ſo unpaid, and there- to ſue out execution accordingly; and the ſaid naval-officers reſpectively ſhall be allowed, for ting, accounting for and paying, the ſaid duties impoſed by this act, into the treaſury of this the ſum of five *per centum* on the money ſo collected by them, or any of them; and they are y required to account for and pay in to the treaſury aforeſaid, every half year, to wit, on the day of April and the tenth day of October in every year, or within ten days afterwards, all y received by them reſpectively, on public account, purſuant to this act, upon pain of forfeiting half of their commiſſions, to be carried to the credit of the public treaſury, and of being ſuſ- ed from their ſaid office of collector until ſuch payment be made.

XIV. AND BE IT ENACTED, That the duties impoſed by this act ſhall continue for one year, Their continuance.
s the duty of five *per cent.* ſhall be granted to congreſs by the ſeveral ſtates, and ſooner take e.

The parts of this act impoſing duties have ceaſed to have any operation.

CHAP. XXVII.

ACT to appoint an intendant of the revenue. Lib. TBH. No. A. fol. 273. Paſſed 15th of Jan. 1783.

CHAP. XXVIII.

ACT to ſettle and pay the civil liſt, and the other expences of civil government. Lib. TBH. o. A. fol. 276.

CHAP. XXIX.

Passed 15th of Jan. 1783.

An ACT to repeal the taxes and duties impoſed and appropriate the redemption of the bills of credit emitted in the years ſeve hundred and eighty and ſeventeen hundred and eighty-one. TBH. No. A. fol. 277.

Preamble.

WHEREAS it appears to this general aſſembly, by the report of the intendant of the r that ample funds are provided and ſecured for the faithful and punctual redemption, the time limitted, of the bills of credit emitted, and now in circulation, in virtue of the ſinking the quota required by congreſs of this ſtate of the bills of credit emitted by congreſs

* Chapter 8.

at June ſeſſion, ſeventeen hundred and eighty, * and in virtue of the act for the emiſſion of credit not exceeding two hundred thouſand pounds, on the ſecurity of double the value in la defray the expences of the preſent campaign, paſſed at May ſeſſion, in the year ſeventeen

† Chapter 23.

and eighty-one; †

Taxes, &c. repealed.

II. BE IT ENACTED, *by the General Aſſembly of Maryland*, That the taxes and duties impo appropriated by the ſaid acts, for the redemption of the ſaid bills of credit, be and are he pealed.

Proviſo.

III. PROVIDED ALWAYS, AND BE IT ENACTED, That nothing in this act contained ſhall the collectors of the ſeveral counties from collecting any of the aforeſaid taxes which may due, but that they ſhall collect all arrears of ſuch taxes in the ſame manner as they have he been collected.

CHAP. XXX.

An ACT to enable the viſitors of Talbot county ſchool to ſe lands belonging to the ſaid ſchool. Lib. TBH. No. A. fol.

Preamble.

WHEREAS it has been repreſented to this general aſſembly, by the viſitors of Talbot ſchool, that the ſchool-houſe belonging thereto hath, by unavoidable accident, bee down and conſumed by fire, whereby the ſaid county is deprived of any public ſchool or ſem learning; and the ſaid viſitors, being deſirous of promoting uſeful knowledge, and fulfilling t purpoſes for which county ſchools were originally founded, are willing to engraft and conſoli eſtate of Talbot county ſchool aforeſaid with the funds and eſtate of Waſhington college, af ing the debts which are juſtly and *bonâ fide* due and owing from the ſaid ſchool;

Viſitors to ſell land, &c.

II. BE IT THEREFORE ENACTED, *by the General Aſſembly of Maryland*, That the viſitors of county ſchool are hereby authoriſed and empowered to ſell and diſpoſe of the land belongin ſaid ſchool, at public ſale, not giving leſs than ſix weeks notice of the time of the ſale the ſuch credit and terms as they may think beſt, and the monies therefrom ariſing, in the firſt p be applied in payment and diſcharge of all debts which are juſtly due and owing from the ſaid and the ſale of ſaid land, ſo made by the aforeſaid viſitors, ſhall be good and valid in law, t tents and purpoſes whatſoever.

CHAP. XXXI.

An ACT for the payment of the journal of accounts. Lib. TBH. No. A. fol. 279.

CHAP. XXXII.

An ACT to continue the acts of aſſembly therein mentioned. TBH. No. A. fol. 279.

Several acts continued.

BE IT ENACTED, *by the General Aſſembly of Maryland*, That an act of aſſembly, entitled, for the more effectual puniſhment of certain offenders, and for the taking from them th of clergy, made at a ſeſſion of aſſembly begun and held at the city of Annapolis the twenty-f of April, ſeventeen hundred and thirty-ſeven, (a) be and is hereby continued, and ſhall be main in full force for and during the term of ſeven years, and to the end of the next ſeſſi ſembly which ſhall happen thereafter; that another act of aſſembly, entitled, An act relating lic roads, made at a ſeſſion of aſſembly begun and held at the city of Annapolis on Mo eighth day of November, ſeventeen hundred and ſeventy-nine, (b) be and is hereby contin ſhall be and remain in full force until the end of the next ſeſſion of aſſembly; that another ſembly, entitled, An act relating to the eſtates of deceaſed perſons, made at a ſeſſion of aſſe

(a) April, 1737, ch. 2.

(b) November, 1779, ch. 14.

CHAP. XXXII.

n and held at the city of Annapolis on Monday the eighth day of November, ſeventeen hundred d ſeventy-nine, (c) be and is hereby continued, and ſhall be and remain in full force for and during e term of three years, and to the end of the next ſeſſion of aſſembly which ſhall happen thereafter; t another act of aſſembly, entitled, An act for enlarging the powers of the governor and council, ide at a ſeſſion of aſſembly begun and held at the city of Annapolis on Monday the eighth day of ovember, ſeventeen hundred and ſeventy-nine, (d) except ſo much thereof as relates to the ſeizure proviſions for the uſe of the army, or any other purpoſe, and the ſupplement to the act, entitled, n act for enlarging the powers of the governor and council, made ſame ſeſſion, be and they are reby continued, and ſhall be and remain in full force to the end of the next ſeſſion of aſſembly; t another act of aſſembly, entitled, An act to continue an act, entitled, An act for the regulation officers fees, and for other purpoſes, made at a ſeſſion of aſſembly begun and held at the city of napolis on Tueſday the ſeventeenth day of October, ſeventeen hundred and eighty, (e) be and is reby continued, and ſhall be and remain in full force until the firſt day of October, ſeventeen hun- ed and eighty-three, and to the end of the next ſeſſion of aſſembly which ſhall happen thereafter; t another act of aſſembly, entitled, A Supplement to the act for the regulation of the ſtaple of bacco, made at a ſeſſion of aſſembly begun and held at the city of Annapolis on Tueſday the ſeven- enth day of October, ſeventeen hundred and eighty, (f) and an additional ſupplement to the act the regulation of the ſtaple of tobacco, made at a ſeſſion of aſſembly begun and held at the city Annapolis on Thurſday the tenth day of May, ſeventeen hundred and eighty-one, (g) be and ey are hereby continued, and ſhall be and remain in full force until the end of the next ſeſſion of embly; that another act of aſſembly, entitled, An act for the ſpeedy conveyance of public letters packets, and for other purpoſes, made at a ſeſſion of aſſembly begun and held at the city of napolis on Tueſday the ſeventeenth day of October, ſeventeen hundred and eighty, (h) be and hereby continued, and ſhall be and remain in full force for and during the term of three years, and the end of the next ſeſſion of aſſembly which ſhall happen thereafter; that another act of aſſembly, itled, An act to encourage the deſtroying of wolves, made at a ſeſſion of aſſembly begun and held the city of Annapolis on Thurſday the tenth day of May, ſeventeen hundred and eighty-one, (i) and is hereby continued, and ſhall be and remain in full force until the end of the next ſeſſion of embly; that all thoſe parts of one other act of aſſembly, entitled, An act concerning eſtates tail, the juriſdiction of the county courts, made at a ſeſſion of aſſembly begun and held at the city of napolis on Tueſday the fifteenth day of June, one thouſand ſeven hundred and ſeventy-three, (k) ich relate to the juriſdiction of the county courts, be and they are hereby continued until the end the next ſeſſion of aſſembly.

(c) November, 1779, ch. 24. (d) November, 1779, ch. 17. (e) October, 1780, ch. 23. (f) October, 1780, ch. 39. (g) May, 1781, ch. 16. (h) October, 1780, ch. 16. (i) May, 1781, ch. 18. (k) June, 1773, ch. 1.

CHAP. XXXIII.

Paſſed 15th of Jan. 1783.

n ACT to raiſe a ſum of money for the payment of the officers and ſoldiers of the line of this ſtate from the firſt day of Auguſt, ſeventeen hundred and eighty, to the firſt day of January, ſeventeen hundred and eighty-one. Lib. TBH. No. A. fol. 281.

Preamble.

WHEREAS this general aſſembly are very deſirous of raiſing a ſum in ſpecie, to diſcharge the pay due to the officers and ſoldiers of the line of this ſtate from the firſt day of Auguſt, ſeven- n hundred and eighty-one;

Intendant to ſell ſpecifics, &c.

II. BE IT ENACTED, *by the General Aſſembly of Maryland*, That the intendant of the revenue be thoriſed and directed to ſell any of the ſpecifics on hand, or to be received in virtue of the act to e the ſupplies for the year ſeventeen hundred and eighty-two, (l) and not heretofore ſpecially propriated by law, as he may think proper, and on the beſt terms he can procure; and that the intendant be alſo authoriſed to direct the commiſſioners appointed to preſerve confiſcated Britiſh perty to diſpoſe of any Britiſh property heretofore appropriated for the redemption of the laſt iſſion, and not already ſold, and any other Britiſh property not appropriated by law, and not rged with conſiderable debts, as he may think proper, and to ſell the ſame at auction or private e, as the ſaid intendant may think moſt adviſeable; and the ſaid commiſſioners ſhall conſult with take the directions of the intendant as to the price; and the ſaid property ſhall be ſold on the lowing terms, to wit: That on the day of ſale, (or within five days thereafter, if ſo agreed by commiſſioners,) the purchaſer ſhall give bond in current money, with good ſecurity, in double the rchaſe money, conditioned for payment to the ſtate of one third in thirty days, one other third in two

(l) November, 1781, ch. 4.

CHAP. XXXIII.

two years, and the reſidue in three years, from the ſale, with an intereſt of ſix *per cent.* and that any purchaſer ſhall neglect to give bond within the time limitted, he ſhall forfeit five *per cent.* on t purchaſe money, to be recovered as directed by the ſupplement to the act to raiſe recruits, paſſed * Chapter 58. April ſeſſion, ſeventeen hundred and eighty-two, * and if he ſhall give bond and neglect to ma payment at the reſpective times appointed, that he ſhall be compelled thereto in the manner direct by the ſaid act; and if bond ſhall not be given, the commiſſioners may elect to declare the ſale vo or good, and if the latter, they may proceed in the ſame manner to recover the purchaſe money in the ſaid act is allowed and directed.

Land to be laid out, &c.

III. WHEREAS the lands on Nanticoke river, in Dorcheſter county, formerly in the poſſeſſion of tribe of Indians, are now, from the death or removal of the ſaid Indians, become the property the ſtate; BE IT ENACTED, That the commiſſioners appointed to preſerve confiſcated Britiſh pr perty be authoriſed and directed to cauſe the ſaid lands to be ſurveyed and laid out in lots, or ſm parcels of land, in ſuch manner as they think will beſt procure purchaſers, and afterwards to ſell t ſame in the manner and on the terms aforeſaid.

Occupiers to pay rent, &c.

IV. WHEREAS ſeveral perſons have for ſome time occupied the ſaid land, and have neither pa rent or aſſeſſment for the ſame, and it is juſt and reaſonable that the ſaid perſons ſhould pay the pu lic a reaſonable compenſation for the uſe of the ſaid lands, BE IT ENACTED, That the ſaid commi oners be authoriſed and directed to call on the ſaid perſons for a moderate and reaſonable rent f the uſe of the ſaid land, for ſuch time as they have occupied and paid no rent therefor, and in ca of refuſal, the ſaid commiſſioners may bring ſuit, in the name of the ſtate, for ſo much money r ceived for the uſe of the ſtate as they may think the ſaid perſons ought to pay to the public.

Tobacco to be ſold, &c.

V. AND BE IT ENACTED, That the intendant of the revenue be authoriſed and directed to ſell t tobacco and wheat collected for the ſinking the continental ſtate money, and that the amount of t ſales be appropriated to the uſe of this act.

Auditor to adjuſt accounts, &c.

VI. AND BE IT ENACTED, That the auditor-general be and he is hereby directed to ſettle and a juſt the accounts of the troops of this ſtate in the ſervice of the United States, and grant them ce tificates for their depreciation, in the ſame manner as is directed by the act to ſettle and adjuſt t accounts of the troops of this ſtate in the ſervice of the United States, and for other purpoſes, (and the ſeveral ſupplements thereto; and that ſo much of the ſaid act as empowers the governor a the council to appoint a commiſſioner to ſettle and adjuſt ſaid accounts, be and is hereby repealed.

(a) October, 1780, ch. 38.

Books to be delivered, &c.

VII. AND BE IT ENACTED, That the commiſſioner or commiſſioners appointed in virtue of t aforeſaid act be and they are hereby directed to prove, and deliver over to the auditor-general, t book or books containing all the accounts ſettled and adjuſted by them in virtue of the aforeſaid a with all duplicate certificates, vouchers and other papers, relative to the buſineſs of their office commiſſioner; and the auditor-general is hereby directed to charge the amount of all and every c preciation certificate to account of the United States.

Intendant to pay officers, &c.

VIII. AND BE IT ENACTED, That the intendant of the revenue be authoriſed and directed to p the money received in virtue of this act to the officers and ſoldiers of the line of this ſtate, in d charge of their pay for the time aforeſaid, and if a ſufficient ſum ſhould not be procured for th purpoſe, he is directed to apportion the ſame according to the ſum due to each officer and the privat for the time aforeſaid, and in payment of the officers, he is firſt to pay thoſe who remained to t ſouthward the laſt campaign; and if any officer or ſoldier will accept, in diſcharge of their pay f the time aforeſaid, any bond given by any purchaſer agreeable to this act, the ſaid intendant m aſſign ſuch bond to ſuch officer or ſoldier, and by virtue thereof ſuch aſſignee ſhall be entitled to t money expreſſed in ſuch bond, and may compel payment in the ſame manner as the public.

Certificates aſſignable.

IX. AND BE IT ENACTED, That any certificate granted to any ſoldier may hereafter be aſſign without any atteſtation of any officer, and without any reſtraint.

CHAP. XXXIV.

Paſſed 15th of Jan. 1783. * Chapter 6.

A Supplement to the act * to raiſe the ſupplies for the year ſeventee hundred and eighty-three. Lib. TBH. No. A. fol. 283.

Preamble.

WHEREAS it appears by the return of the aſſeſſors and the commiſſioners of the tax, in pu ſuance of the act to raiſe the ſupplies for the preſent year, that in ſeveral of the count merch

erchant grist mills, forges, furnaces, stills and fulling mills, were not valued to the owners, under ntext that they were excepted from taxation by the exception in the said act, "of the working ols of mechanics and manufacturers," and such conduct in the assessors and commissioners was con- ary to the letter, spirit and intention of the said act;

Mills, &c. to be valued, &c.

II. BE IT ENACTED, *by the General Assembly of Maryland*, That all mills, stills, forges and furnaces, valued agreeable to the act of this session to raise the supplies for the current year, and that such luation be immediately thereafter collected by the collectors of the tax from the owners of such lls or furnaces which were not valued this present year.

A place to be appointed, &c.

III. AND, whereas from the extent and situation of some of the counties of this state, it may be y convenient to the people, and not injurious to the public interest, that two places should be ap- inted in such county for the receipt of specifics, BE IT ENACTED, That the intendant of the reve- e be authorised to appoint one other place on water navigation in such county, besides the one med in the act to raise the supplies for the current year, and thereupon any specifics may be re- ived at such place.

Collectors to make a list, &c.

IV. AND, as it is the duty of every citizen to pay the taxes imposed by the legislature by the time d in the manner prescribed, and that those who neglect may be known and distinguished, BE IT ACTED, That the collectors of the tax in the several counties be directed and required, under the nalty of fifty pounds current money, on or before the tenth day of June next, to make out an habetical list of all persons who shall pay the tax with which their property is chargeable before e first day of the same month of June next, and to lodge, before the said tenth day of June, one py of such list with the clerk of their county court, and to send one other copy thereof, by the st conveyance, to the intendant of the revenue; and the said collectors are also hereby directed d required, in the same manner, and under the same penalty, to make out and set up as aforesaid, or before the tenth day of July next, and on or before the tenth day of every month thereafter, til all the taxes due in the county be collected, a similar list of those who shall have paid on the t day of each month, and to transmit a copy of such list as before directed.

* Chapter 6. Part of an act repealed.

V. AND BE IT ENACTED, That so much of the act, * entitled, An act to raise the supplies for e year seventeen hundred and eighty-three, as imposes a tax or assessment of fifteen shillings on rried men not liable to be assessed the sum of fifty pounds current money or upwards, be and is reby repealed.

Commission to be divided.

VI. AND BE IT ENACTED, That where any person shall deliver specifics at any of the places ap- inted for the receipt thereof, out of the county where the tax arises, that the commission shall be ually divided between the person receiving the same and the collector of the county where such arises.

At a SESSION of the GENERAL ASSEMBLY of MARYLAND, begun and held at the CITY of ANNAPOLIS, on Monday, the 21st of April, in the year of our Lord 1783, and ended the 1st day of June, the following laws were enacted. 1783.

WILLIAM PACA, ESQUIRE, GOVERNOR.

CHAP. I.

Passed 1st of June, 1783.

n ACT respecting registers of vessels, and to direct the entry and clearing vessels from and to the British dominions. Lib. TBH. No. A. fol. 285.

CHAP. II.

A ACT for the relief of John Buckman, of Saint-Mary's county. Lib. TBH. No. A. fol. 285.
A Private Act.

CHAP.

CHAP. III.

Passed 1st of June, 1783. An ACT to change the furnames of Nicholas Maccubbin, junior, and of James Maccubbin, to t of Carroll. Lib. TBH. No. A. fol. 286. A Private Act.

CHAP. IV.

An ACT to make valid a deed of bargain and sale executed by Abraham Davis and Elizabeth C mer, of Frederick county, to Joshua Gist, of said county. Lib. TBH. No. A. fol. 287. A P vate Act.

CHAP. V.

An ACT for laying out a road from the wind-mill and dwelli plantation of Nathaniel Manning, of Dorchester county. Li TBH. No. A. fol. 287.

Preamble. WHEREAS Nathaniel Manning, of Dorchester county, by his petition to this general ass bly, did set forth, that he resides in a neck upon Great Choptank river, about twelve m distant from the town of Cambridge, in the said county, and within one mile of the main road t leads from said town to Edward Noel's, and that he hath begun a wind-mill, which, when finish will necessarily draw a great number of carts and carriages; therefore prayed that an act might p to enable him to cut and make a road from the main road leading from Cambridge to Edward No to your petitioner's dwelling plantation and wind-mill; and it appearing reasonable to grant t petition,

A road to be laid out, &c. II. BE IT ENACTED, *by the General Assembly of Maryland*, That Robert Harrison, Edward Noel Thomas Firman Eccleston, or any two of them, are hereby authorised to lay out a waggon ro twenty feet wide, from the said Nathaniel Manning's wind-mill and plantation until it intersects main road leading from the town of Cambridge to Edward Noel's; which road, when made, shall a public road, and kept up at the expence of the said Nathaniel Manning; that the commissio aforesaid shall ascertain and value what damage such road running through any person's land s amount to, which shall be paid to such person damaged by the said Nathaniel Manning.

CHAP. VI.

An ACT for laying out a road from John Groff's mill, in Frederi county. Lib. TBH. No. A. fol. 288.

Preamble. WHEREAS it is represented to this general assembly, by the petition of sundry inhabitant Frederick county, that they labour under great inconveniencies for want of a waggon r from John Groff's mill, in Frederick county, until it intersects the road leading from Marsh cr to Baltimore-town, in Baltimore county, at Michael Dear's farm, about one mile below Piney cr and also from the said mill until it intersects the road at Joseph Myer's farm, about three m below Pipe creek; and it appearing reasonable to grant the said petition,

A road to be laid out, &c. II. BE IT ENACTED, *by the General Assembly of Maryland*, That William Winchester, Thomas I bin and Michael M'Guire, or any two of them, are hereby authorised to lay out a waggon r twenty feet wide, from the said John Groff's mill until it intersects the main road aforesaid lea from Marsh creek to Baltimore-town aforesaid at Michael Dear's farm, one mile below Piney cr and also from the said mill until it intersects the main road aforesaid at Joseph Myer's farm, a three miles below Pipe creek, in Frederick county aforesaid; which said road, when made, shal a public road.

Damage to be ascertained, &c. III. AND BE IT ENACTED, That the commissioners aforesaid shall ascertain and value what mage such road running through any person's land as aforesaid shall amount to, which shall be to such person damaged as aforesaid by the said John Groff.

Not to go thro' orchards, &c. IV. AND BE IT ENACTED, That the said road shall not go through any orchard, garden meadow, unless with the approbation and consent of the owner.

CHAP. VII.

An ACT to authorise and empower Frank Leeke, of Prince-George's county, to dispose of a of land called Wells's Invention, for the purpose therein mentioned. Lib. TBH. No. A. fol. A Private Act.

CH

CHAP. VIII.

ACT to continue the civil cauſes depending in the general court for the weſtern ſhore, and for her purpoſes. Lib. TBH. No. A. fol. 290. Paſſed 1ſt of June, 1783.

CHAP. IX.

ACT for removing original papers in the late prerogative-office, to the ſeveral counties in this ſtate. Lib. TBH. No. A. fol. 290.

E IT ENACTED, *by the General Aſſembly of Maryland*, That the officer having the cuſtody of the original papers in the late prerogative-office, ſhall make a fair tranſcript or record of all original rs which remain unrecorded, and, after having recorded the ſame, ſhall ſort out, liſt and pack in diſtinct parcels, all the original papers to each county belonging, or in any manner appertain- to the eſtates of deceaſed perſons; and ſuch papers, ſo ſorted, the officer aforeſaid ſhall depoſit, xes or packages to be prepared by him for that purpoſe, and the ſame ſhall have ready to deliver the regiſter of wills for each county, by the firſt day of November next, and immediately there- give notice to the regiſter of wills for each county, that the aforeſaid original papers are packed d ready to be delivered, under the penalty of one hundred pounds current money; and the re- s of wills aforeſaid ſhall ſafely tranſmit ſuch original papers contained in ſaid boxes and pack- to their reſpective counties, within twenty days after receipt thereof, under the penalty of pounds like money; and the officer packing up ſuch original papers ſhall be entitled to one red pounds current money for his ſervices. Tranſcript to be made, &c.

I. AND BE IT ENACTED, That the regiſter of wills for each reſpective county ſhall, within twelve hs, in like manner ſort out, liſt and pack up, in a diſtinct parcel or parcels, all original papers h he may receive belonging to any other county, and ſhall immediately thereafter give notice to egiſter of wills for ſuch county, that the aforeſaid original papers are packed up and ready to livered, under the penalty of thirty pounds current money. Regiſter to ſort papers, &c.

II. AND BE IT ENACTED, That the regiſters of wills aforeſaid ſhall, and they are hereby re- d, to record the ſaid original papers among the records of the orphans court in their reſpective ies, in a convenient time after the receipt thereof; and each of the ſaid regiſters ſhall be en- to a reaſonable reward for their reſpective ſervices for removing and recording ſaid papers; he ſeveral and reſpective county courts are hereby authoriſed and empowered to levy and aſſeſs me, in the ſame manner as other county charges are levied and aſſeſſed. And record them, &c.

This and the ſecond ſection are repealed by May, 1788, ch. 9.

CHAP. X.

CT giving a further time for the payment of the taxes levied for the preſent year, and other poſes therein mentioned. Lib. TBH. No. A. fol. 291.

CHAP. XI.

ACT to eſtabliſh a market-houſe in Elizabeth-town, in Waſh- gton county, and for the regulation of the ſame. Lib. TBH. No. A. fol. 293.

Supplementary and other acts 1791, ch. 24, and 1793, ch. 9.

WHEREAS it has been repreſented to this general aſſembly, by ſundry inhabitants of Waſh- ington county, that they labour under many great inconveniencies, for want of a market- e in Elizabeth-town, in ſaid county; that a large and commodious ſpace of ground was laid out at purpoſe, in the centre of ſaid town, and appropriated for ſaid purpoſe; and that the ſaid oners propoſe to build thereon at their own expence; and it appearing reaſonable to grant the r of ſaid petition; therefore, Preamble.

I. BE IT ENACTED, *by the General Aſſembly of Maryland*, That Henry Shryock, Matthias Need Martin Harry, be and are hereby nominated and appointed commiſſioners, (a) who are veſted full power and authority, in virtue of this act, to lay out a certain portion or part of the ſaid ed ground, as before mentioned, in ſaid town, for the purpoſe of building a market-houſe there- Commiſſioners appointed, &c.

(a) By 1793, ch. 9, all the powers, &c. given to theſe commiſſioners are transferred to the commiſſioners of Elizabeth-town, named by 1791, ch. 24.

CHAP. XI.

on, and to contract with fit and proper perſons for the building a houſe, not leſs than fifty f length and thirty in breadth, for a market-houſe, for the uſe of the inhabitants of ſaid tow county.

To be bounded.

III. AND BE IT ENACTED, That the ſaid portion of ground, laid out by the ſaid commiſſion aforeſaid, ſhall be bounded.

Market-days, &c.

IV. AND BE IT ENACTED, That from and after the twentieth day of Auguſt next, two d every week ſhall be held as market-days within the town of Elizabeth aforeſaid, to wit, Wedn and Saturdays; and victuals and proviſions whatſoever, brought to the ſaid town for ſale, beef by the quarter or large quantity, and pork by the hog or hogs, upon thoſe or any other ſhall be carried to the public market-houſe of the ſaid town, there to be ſold to the inhabitan the ſtated market-hours, to wit, from any time in the morning to twelve at noon.

Penalty on buying out of market, &c.

V. AND BE IT ENACTED, That no inhabitant of the ſaid town, or other perſon, ſhall preſ buy, or cauſe to be bought, of any perſon or perſons, being and within one mile thereof, or brought any kind of victuals or proviſions whatſoever to the ſaid market for ſale, (except as excepted,) either upon the above ſtated market-days, or any other day of the week, during th of the above ſtated market-hours, at any other place whatſoever, but at or in the aforeſaid m houſe, under the penalty of twenty ſhillings current money for every ſuch offence, to be rec by warrant, before any juſtice of the peace for Waſhington county, or the county where the ſhall reſide, as in caſe of ſmall debts, to be paid to ſuch perſon as the commiſſioners aforeſai appoint as their clerk of the market in Elizabeth-town aforeſaid, to be by them applied to t pairing of the ſaid market-houſe, and ſuch other purpoſes as they may think neceſſary.

On perſons ſelling, &c.

VI. AND BE IT ENACTED, That no perſon whatſoever, after the time aforeſaid, bringing o ing, or having brought or ſent, any proviſions or victuals to the ſaid town for ſale, ſhall preſ ſell, or cauſe to be ſold, the ſaid victuals or proviſions ſo bringing or ſending, or brought or ſe aforeſaid, to the ſaid town, or within one mile thereof, (except as before excepted,) und penalty of ten ſhillings current money, with coſts as aforeſaid, (if a free perſon,) to be rec paid and applied, as aforeſaid.

On ſlaughtering cattle, &c.

VII. AND BE IT ENACTED, That if any perſon or perſons ſhall hereafter preſume to ſlaug butcher any cattle kind, ſheep or hogs, in or near about the ſaid market-houſe, that he or th doing, ſhall forfeit and pay ſeven ſhillings and ſix-pence current money for every ſuch offence recovered, paid and applied, as aforeſaid, with coſt aforeſaid.

Blown meat to be ſeized, &c.

VIII. AND BE IT ENACTED, That if any perſon ſhall ſell, or offer for ſale, any meat wit ſaid market which ſhall be blown, in ſuch caſe it ſhall and may be lawful for the clerk of t market to ſeize all ſuch meat ſold or offered for ſale in the ſaid market, and the ſame to cond and for the uſe of the priſoners confined in Waſhington county gaol; and the butcher, or oth ſon, for every ſuch offence, ſhall forfeit and pay the ſum of twenty ſhillings current money, ſhall be applied as aforeſaid.

Proviſion to be weighed in ſcales, &c.

IX. AND BE IT ENACTED, That from and after the twentieth day of Auguſt next, all f every article of proviſion ſold by weight within the ſaid market, ſhall be weighed in ſca weights tried by the ſtandard of the county, or the ſtandard to be provided and kept by th miſſioners aforeſaid.

Clerk's duty, &c.

X. AND BE IT ENACTED, That the clerk of ſaid market ſhall have power and authority the poſſeſſion, care and charge of the market and market-houſe aforeſaid, during his continu office, and to inſpect all proviſions brought thereto for ſale, and deſtroy any he ſhall find and unſound or unwholeſome; and alſo to try the weights and meaſures uſed at the ſaid market by ſta if any provided and kept there by ſaid commiſſioners of ſaid market for that purpoſe, and th when falſe or untrue, to ſeize and diſpoſe to the higheſt bidder, and ſhall pay the money ariſi ſuch ſale to the ſaid commiſſioners, to be by them applied as aforeſaid; and the clerk of market (unleſs prevented by ſickneſs, or other unavoidable accident or neceſſity,) ſhall an hereby required to attend in the ſaid market, at ſuch hours as the commiſſioners may appoin different ſeaſons; (a) and if ſuch clerk ſhall neglect or refuſe to attend as aforeſaid, he ſh every ſuch offence, forfeit and pay the ſum of five ſhillings current money, to be recovered comm

(a) By 1793, ch. 9, a ſalary is to be paid to the clerk.

missioners of said market for the time being, before any justice of the peace for Washington county, to be paid and applied by them to the use aforesaid; and the said clerk may be removed and placed by said commissioners for the time being at their pleasure or direction. CHAP. XI.

II. AND, whereas it has been practised by people coming in from the country, to tie their horses to the said market-house, which is very indecent, and offensive to the inhabitants of the said town; BE IT ENACTED, That any person or persons, who shall, after the time aforesaid, put their own, or any other person's horse, mare or gelding, into or under the said market-house, on any pretence whatsoever, he or they shall pay or forfeit two shillings and six-pence current money, with cost aforesaid, to be recovered, paid and applied, as aforesaid. Horses not to be put under market-house, &c.

III. AND BE IT ENACTED, That if any person appointed commissioner by this act shall die, refuse or otherwise be rendered incapable to discharge the duties enjoined by this act, that the justices of Washington county may nominate and appoint some person or persons in his or their place, so as to make the number of three commissioners as aforesaid, and that the commissioners so appointed shall have the same powers as the commissioners appointed by this act. How vacancies are to be filled.

All such parts of this act as are inconsistent with the supplement, 1793, ch. 9, are thereby repealed.

CHAP. XII.

AN ACT to authorise the auditor-general to settle and adjust the accounts and pay of the honourable Robert Hanson Harrison, Esquire. Lib. TBH. No. A. fol. 296. A Private Act. Passed 1st of June, 1783.

CHAP. XIII.

AN ACT to appoint trustees to take care of the person and property of Joseph Ensor, an idiot. Lib. TBH. No. A. fol. 296. A Private Act.

CHAP XIV.

AN ACT for the sale of the glebe-land in Shrewsbury parish, in Kent county. Lib. TBH. No. A. fol. 299.

WHEREAS the vestrymen and other the parishioners of Shrewsbury parish, in Kent county, have, by their humble petition to this general assembly, set forth, that in the life-time of the reverend Mr. Forrester there was a new parish laid out in the said county, which took in the glebe-land belonging to the said parish, by which means the glebe now lies a considerable distance from the said parish, and they are of opinion it will be of much advantage to the parish to dispose of the said land, and to apply the money arising therefrom towards purchasing land more conveniently situated, or in case such cannot be immediately purchased, to put the money to interest, for the use of the said parish, until the present or some succeeding vestry have an opportunity of purchasing land within the said parish conveniently situated for a glebe; the petitioners therefore pray, that an act may pass to enable them, or a succeeding vestry, to sell and convey the land now belonging to the said parish as a glebe, for the reasons aforesaid; which being thought reasonable, Preamble.

BE IT ENACTED, *by the General Assembly of Maryland*, That the vestrymen and churchwardens of the parish of Shrewsbury, in Kent county, for the time being, or the major part of them, be and they are hereby authorised and empowered to sell and convey, in fee-simple, to the person that shall bid the best price, all the land belonging to the aforesaid parish as a glebe, at public vendue, after giving three weeks notice of the intended sale in the Maryland Gazette and Baltimore Journal, at the court-house door in Kent county, and at five of the most public places in the parish aforesaid, and the money arising from such sale to apply towards the purchasing of another piece of land lying within the said parish, and more conveniently situated; and that such other land, when so purchased, shall be made over to the vestrymen and churchwardens, and their successors aforesaid, in trust and for the only benefit of the minister or incumbent of said parish for ever; provided, that in case the said vestrymen and churchwardens shall not be able to purchase some other land more convenient, as is before directed, then the said vestrymen and churchwardens shall and they are hereby empowered and directed to place the money arising from such sale out to interest, upon good and sufficient security, which interest shall be paid yearly to the minister or incumbent of said parish for the time being, and in case of no minister or incumbent, then to the vestrymen or churchwardens thereof, until the purchase aforesaid can be made, which it is nevertheless hereby declared to be the duty of the said vestrymen and churchwardens, or the major part of them, to make, as soon as possible may be done to the advantage and convenience intended. Glebe to be sold, &c.

CHAP. XV.

Paſſed 1ſt of June, 1783.

An ACT for laying out a road leading from Doctor Ephraim Howar tilting forge, in the upper part of Elk-Ridge, to interſect the pu lic road leading to Elk-Ridge Landing, by William Hobb's dw ling plantation, in Anne-Arundel county. Lib. TBH. No. fol. 300.

Preamble.

WHEREAS it is repreſented to this general aſſembly, by the petition of ſundry inhabitan Anne-Arundel and Montgomery counties, that Doctor Ephraim Howard hath, at a very ſiderable expence, and with great labour and induſtry, completed a forge for plating all kinds of mongery, on the back parts of Elk-Ridge; that great inconveniencies ariſe for the want of a from the ſaid forge to Elk-Ridge Landing, from whence the ſaid Ephraim Howard is ſupplied unwrought iron for his forge; and it appearing to this general aſſembly reaſonable to encourag ſaid manufactory, and grant the prayer of the ſaid petition for a public road,

A road to be laid out, &c.

II. BE IT ENACTED, *by the General Aſſembly of Maryland*, That Doctor Charles Alexander field, Henry Griffith, ſenior, and Thomas Hobbs, or any two of them, be and are hereby appoi commiſſioners, and are hereby authoriſed to lay off a waggon road, twenty feet wide, from the Ephraim Howard's tilting forge, in the upper parts of Elk-Ridge, in Anne-Arundel county a ſaid, until it interſects the public road leading to Elk-Ridge Landing, by William Hobb's dwe plantation, in Anne-Arundel county; which ſaid road, when laid out, ſhall be a public road, h ſaid Ephraim Howard cleaning out and clearing the ſame at his own private expence.

Damages to be aſcertained, &c.

III. AND BE IT ENACTED, That the commiſſioners aforeſaid ſhall aſcertain and value what dan ſuch road running through any perſon's land as aforeſaid ſhall amount to, which ſhall be paid b ſaid Ephraim Howard, in three months after the ſaid valuation, to the perſon or perſons, or his or their guardian or guardians, ſuffering ſuch injury and damage.

Not to go thro' orchards, &c.

IV. AND BE IT FURTHER ENACTED, That the ſaid road ſhall not go through any orchard, g or meadow, unleſs by and with the conſent of the owner thereof.

CHAP. XVI.

An ACT empowering the intendant to diſpoſe of the galley and barges. Lib. TBH. N fol. 300.

CHAP. XVII.

An ACT concerning the admiſſion and qualification of ſolicitors and attornies. Lib. TBH. N fol. 301.

This act was to continue for three years, &c. Expired.

CHAP. XVIII.

An ACT to authoriſe and empower Charles Greenbury Ridgely, ſon and heir at law of C Greenbury Ridgely, late of Anne-Arundel county, deceaſed, jointly with Sarah Ridgely Henry Ridgely, adminiſtrators of the ſaid Charles Greenbury Ridgely, deceaſed, to ſell an poſe of a part of the real eſtate of the deceaſed, for the payment of his debts. Lib. TBH A. fol. 303. A Private Act.

CHAP. XIX.

An ACT for the relief of Charles Dunkin, of Worceſter county. Lib. TBH. No. A. fol A Private Act.

CHAP. XX.

An ACT to explain and amend an act for the ſale of certain co cated Britiſh property. Lib. TBH. No. A. fol. 305.

Preamble.

WHEREAS by an act for the ſale of certain confiſcated Britiſh property, paſſed April f ſeventeen hundred and eighty-two, * it is enacted, that the commiſſioners appointed t

* Chapter 59.

ſerve confiſcated Britiſh property be authoriſed and requeſted, under the direction of the inte immed

mediately to offer the following property for sale, by publishing the same in the Maryland Gazette d Baltimore Journal for four successive weeks, to wit: The reserves in Saint-Mary's, Charles, timore and Harford counties, and on Monococy manor, and Gunpowder, North-East and Elk ma-, and sundry other lands, on certain terms and conditions for payment therein mentioned: And reas it was declared to be the intention of the general assembly, that the tenants on manors and lers on reserves should have the preference of purchasing such parts of any manor or reserve lands they were settled on or occupy, on paying such reasonable and moderate valuation therefor as the commissioners, or persons nominated by them, should on oath determine: And whereas it appears the returns of the valuations made by the persons nominated by the commissioners in virtue of act, that in a variety of instances manifest injustice has been attempted to be done to the state, the valuations of said lands so extremely low, and bear so small a proportion to their real value, the commissioners aforesaid refused to give titlings to the register of the land-office to issue wars to survey such lands; therefore,

I. BE IT ENACTED, *by the General Assembly of Maryland*, That the intendant of the revenue, toge- with the commissioners for the preservation and sale of confiscated British property, be authorised required to make diligent inquiry into all and every of the same valuations so made and returned virtue of the act aforesaid, and revise the same; and in all cases where the intendant and the missioners, or any two of them, shall find, upon examination, that any of the valuations have made contrary to the spirit and intention of the act aforesaid, the said intendant and commissi-rs, or any two of them in such case, shall affix a reasonable and moderate price to such land, and tenants and settlers shall have the preference thereof, at the price so affixed, upon the terms tioned in the act aforesaid; and upon neglect or refusal of the tenants to purchase, then they order and direct such property, so undervalued, to be exposed to public sale, to the highest bid-, notice being first given six weeks in the Baltimore and Annapolis news-papers, and by adver-ments set up in the most frequented places of the neighbourhood where such reserved or other s may be, any thing in the same former act or in any other act to the contrary notwithstand- Intendant, &c. to inquire, &c.

II. AND BE IT ENACTED, That the sale of the said property shall be on the following terms: t on the day of sale, (or within five days thereafter, if so agreed by the commissioners,) the pur- fer shall give bond, in current money, with good security, in double the purchase money, condi- ed for payment to the state of one third in twelve months, one third in two years, and the residue three years, from the day of sale, with interest of six *per cent.* and if any purchaser shall neglect ive bond within the time limitted, he shall forfeit five *per cent.* on the purchase money, to be re- ered as directed by the supplement to the act to raise recruits, passed April session, seventeen dred and eighty-two, and if he shall give bond, and neglect to make payment at the respective s appointed, that he be compelled thereto in the manner directed by the said act; and if bond not be given, the commissioners may elect to declare the sale void or good, and if the latter, may proceed in the same manner to recover the purchase money as in the said act is allowed and ected. Terms of sale, &c.

IV. AND BE IT ENACTED, That upon any purchase made of any of the aforesaid lands, the com- oners aforesaid shall give a titling to the register of the land-office for the shore on which the lies, who shall thereupon issue a warrant to survey such land for the purchaser, who shall, upon rtificate returned to the land-office of the western shore, and after the same shall be examined passed, be entitled to a patent therefor, upon the same terms and under such regulations as in case of a survey to affect vacant land in every respect, except that such purchaser shall not be ged to pay any other composition money. Commissioners to give titling, &c.

V. AND BE IT ENACTED, That in all sales of the said lands there shall be a reservation of one part of all mines of gold or silver found thereon to this state, which reservation shall be ex- ed in the deeds for the said lands. Reservation to be made, &c.

CHAP. XXI.

Supplement to the act (a) to authorise the commissioners for the preservation and sale of confiscated British property to convey certain lands in Wiccomico manor to several of the tenants thereof. Passed 1st of June, 1783.

Lib. TBH. No. A. fol. 306.

(a) April, 1782, ch. 18.

CHAP.

CHAP. XXII.

Passed 1st of June, 1783.

An ACT, entitled, A Supplement to an act, entitled, (a) An act raiſe a ſum of money for the payment of the officers and ſoldie of the line of this ſtate, from the firſt day of Auguſt, ſevente hundred and eighty, to the firſt day of January, ſeventeen hu dred and eighty-one. Lib. TBH. No. A. fol. 308.

(a) November, 1782, ch. 33.

Preamble.

WHEREAS, by the act aforeſaid, the commiſſioners for confiſcated property, under the direc ons of the intendant of the revenue, were authoriſed and directed to diſpoſe of any Brit property, heretofore appropriated for the redemption of the laſt emiſſion, and not already ſold, a any other Britiſh property not appropriated by law, upon the terms mentioned in the ſaid act: A whereas lands on Nanticoke river, in Dorcheſter county, formerly in the poſſeſſion of a tribe of dians, and now, from the death or removal of the ſaid Indians, become the property of the ſta were alſo directed, by the act aforeſaid, to be expoſed to ſale upon the terms therein mentione and it appearing to the general aſſembly that the limits and title of the lands intended by the aforeſaid to be ſold are not aſcertained, and that if they were expoſed to ſale upon the terms in act aforeſaid ſpecified, the ſtate would not obtain nearly the value thereof, and being determined diſcharge the pay due within the times aforeſaid to the officers and ſoldiers as ſpeedily as poſſib therefore,

Part of an act repealed.

II. BE IT ENACTED, *by the General Aſſembly of Maryland*, That ſo much of the act aforeſaid as rects any Britiſh property in the ſaid act deſcribed to be ſold for the purpoſe aforeſaid, and alſo much thereof as directs the lands on Nanticoke river, in Dorcheſter county, formerly in the poſſ ſion of a tribe of Indians, to be expoſed to ſa'e, ſhall be and is hereby repealed.

Tax to be paid to intendant, &c.

* Chapter 54.

III. AND, as additional funds for diſcharging the pay due to the officers and ſoldiers within t times aforeſaid, BE IT ENACTED, That ſuch part of the five ſhillings ſpecie tax, impoſed by the paſſed in April ſeſſion, one thouſand ſeven hundred and eighty-two, * entitled, An additional ſupp ment to the act to raiſe the ſupplies for the year one thouſand ſeven hundred and eighty-two, as mains in the hands of either of the treaſurers, or of any of the collectors, or to be collected, paid into the hands of the intendant of the revenue for the purpoſe aforeſaid; and ſo much of the of April ſeſſion, one thouſand ſeven hundred and eighty-two, entitled, An additional ſupplement the act to raiſe the ſupplies for the year ſeventeen hundred and eighty-two, as directs the treaſu of the weſtern ſhore to ſend the ſame to the continental treaſury, or pay the ſame to order of c greſs, is hereby repealed.

Intendant to ſell ſpecifics, &c.

IV. AND BE IT ENACTED, That the intendant is hereby authoriſed and empowered to ſell much of the ſpecifics as are collected in virtue of the act to raiſe the ſupplies for the year ſev teen hundred and eighty-three, or of the money received for that part of the tax that may be charged in ſpecifics, to the amount of thirteen thouſand pounds, or ſo much thereof as may be ceſſary, be applied to the purpoſes aforeſaid.

May apply money, &c.

V. AND BE IT ENACTED, That the intendant of the revenue may apply ſo much of the mon ariſing from the ſales of property to carry on the recruiting ſervice, and ſo much of the funds e bliſhed for the defence of the bay, (not already expended, or neceſſary to defray the charges alre incurred,) as may be fully ſufficient to diſcharge the pay due to the officers and ſoldiers as aforeſa

Or ſpecifics, &c.

VI. AND BE IT ENACTED, That the intendant ſhall and may apply ſo much money or ſpeci due for taxes before the year ſeventeen hundred and eighty-two as ſhall be neceſſary for the purp aforeſaid; and if the five ſhillings ſpecie tax, or the ſpecifics for the year ſeventeen hundred eighty-three, ſhould be applied to carry this act into execution, before the debts for arrearages bef the year ſeventeen hundred and eighty two are received, the intendant ſhall replace the ſum rai from the five ſhillings ſpecie tax, and the ſpecifics for the year ſeventeen hundred and eighty-th out of ſuch arrearages.

May ſell tobacco, &c.

VII. AND BE IT ENACTED, That the intendant may, in his diſcretion, ſell a quantity not ceeding four hundred hogſheads of tobacco now on hand, for the purpoſe of carrying this act i execution, and diſcharging the five months pay aforeſaid.

CHA

CHAP. XXIII.

An ACT to prohibit the bringing ſlaves into this ſtate. Lib. TBH. No. A. fol. 209. Paſſed 1ſt of June, 1783.

Repealed, with its ſupplements, (viz. 1791, ch. 57, and 1794, ch. 43,) by 1796, ch. 67, provided that all rights acquired under them ſhall not be affected or impaired.

CHAP. XXIV.

An ACT appointing wardens for the port of Baltimore-town, in Baltimore county. Lib. TBH. No. A. fol. 310.

Supplementary and other acts November, 1788, ch. 20, 1791, ch. 60.

WHEREAS it is of importance to the ſtate, that proper perſons ſhould be appointed to preſerve the navigation of the baſon and harbour of Baltimore-town, in Baltimore county; Preamble.
erefore,

II. BE IT ENACTED, *by the General Aſſembly of Maryland*, That Samuel Smith, Daniel Bowley, John errett, Samuel Purviance, Thomas Ruſſell, Richard Ridgely, Robert Henderſon, Thomas Elliot d William Patterſon, be and are hereby appointed wardens for the ſaid port of Baltimore-town, Baltimore county, till the firſt Monday in October, in the year of our Lord one thouſand ſeven ndred and eighty-ſix, and no longer, unleſs elected agreeably to the manner hereafter preſcribed; d ſaid wardens and their ſucceſſors are hereby inveſted with full power and authority to carry ineffect the ſeveral objects and intentions of this act; and it ſhall and may be lawful for them, or a jority of them, the chairman herein after directed to be choſen being one, as ſoon as conveniently y be, having firſt taken the oath or qualification hereafter preſcribed, to meet together, at ſuch es as are herein after mentioned, for the executing and performing the duties hereby enjoined; d ſaid wardens ſhall have power to appoint and employ a ſkilful perſon to be their clerk, who ſhall ep fair minutes and entries of all their orders, regulations and tranſactions, and ſhall, before he ters on the duties of his office, give good and ſufficient ſecurity, for its faithful diſcharge, in the n of one hundred pounds, to be approved of by ſaid wardens; all which ſaid minutes and entries ll be public, and ſubmitted to the inſpection of any perſon or perſons who ſhall deſire to peruſe m, he or they paying to the clerk the ſum of one ſhilling for each time the books ſhall be examined; d that the ſaid clerk ſhall give true copies of any ſuch entries or minutes made in the ſaid books, or they paying one half penny for each line the ſaid copy ſhall contain, every line to conſiſt of not s than twelve words; and the ſaid wardens are hereby empowered to have and uſe one common l in their affairs, to ſue and be ſued, plead and be impleaded, and to have perpetual ſucceſſion, as rein directed. Wardens to be appointed, &c.

III. AND BE IT ENACTED, That the electors for ſpecial commiſſioners ſhall, on the firſt Monday October, in the year of our Lord one thouſand ſeven hundred and eighty-ſix, and the firſt Monday of tober in every fifth year for ever after, ballot for nine wardens, in the ſame manner as directed for d ſpecial commiſſioners by the act, (a) entitled, An act for the more effectual paving the ſtreets of ltimore-town, in Baltimore county, and for other purpoſes, and ſhall ſignify the election of ſaid wars in the public news-paper; that the aforeſaid electors, before they proceed to the election for rdens, ſhall take an oath or affirmation, to elect, without favour or partiality, ſuch perſons for rdens, as they in their judgment and conſcience believe beſt qualified for ſaid office; that the perns elected wardens muſt have been reſidents in the ſaid town three whole years preceding the ction, and muſt have real or perſonal property in ſaid town above the value of one thouſand unds; and that vacancies happening from death, refuſal, diſqualification or reſignation, be filled by the wardens, in the manner directed in the aforeſaid act for filling up vacancies of ſpecial comſioners for ſaid town. To be elected every five years, &c.

(a) November, 1782, ch. 17.

IV. AND BE IT ENACTED, That the electors have ſpecial care in their choice of wardens, to make ch election as that the ſeveral parts of the town be as nearly as poſſible equally repreſented. Care to be taken, &c.

V. AND BE IT ENACTED, That the ſaid wardens, or a majority of them, ſhall and hereby have wer to chooſe yearly, and every year, by ballot, one of their own number, to be their chairman; d the ſaid chairman, with a majority of wardens, hereby have authority to do and perform all and ery act, matter and thing, herein enjoined and required of them; and in caſe the ſaid chairman, choſen, ſhall neglect or refuſe to attend at any of the times appointed for the meeting of the rdens, being at leaſt a majority in number, to chooſe in the ſame manner a chairman for the time ing. A chairman to be choſen, &c.

VI. AND

CHAP. XXIV.

To meet four times a year, &c.

VI. AND BE IT ENACTED, That there ſhall be four meetings of ſaid wardens in every year; t is to ſay, on the ſecond Mondays in March, June, September and December, reſpectively, an ſuch other times as the chairman, or in his abſence two other wardens, may think neceſſary, on plication made to him or them for that purpoſe; which meetings ſhall be called by his or their o iſſued to the clerk, directing him to ſummon all the ſaid wardens to meet, on twelve hours notice hear and determine whatever ſhall or may come before them; and that the chairman ſhall rece for each day he ſhall attend or be employed, the ſum of ſeven ſhillings and ſix-pence, and every o warden the ſum of five ſhillings, and no more.

To take an oath, &c.

VII. AND BE IT ENACTED, That before the ſaid wardens take upon themſelves the office of dens, each and every of them ſhall take an oath or affirmation, that he will well and faithfully the beſt of his ſkill, underſtanding and judgment, perform, do, execute and diſcharge, the office duty of a warden, according to the directions of this act; which qualification any juſtice of peace is hereby authoriſed and enjoined to adminiſter.

To make a ſurvey, &c.

VIII. AND BE IT ENACTED, That the ſaid wardens, or a majority of them, ſhall and may o and make, as ſoon as conveniently may be, an exact ſurvey and chart of the ſaid baſon, harb and river Patapſco, and ſhall and may aſcertain the depth and courſe of the channel of the ſame, if neceſſary affix buoys or water-marks, for facilitating and rendering more ſafe the navigation ther

Wharfs not to be made, &c.

IX. AND BE IT ENACTED, That no wharf or wharfs ſhall be run out, made, altered, enlarge extended, from and after the publication hereof, ſo as to divert the courſe of the ſaid channel, ſtruct the harbour or baſon, or to the injury of the ſame; and that no perſon or perſons ſhall m alter or extend, a wharf or wharfs, from and after the publication hereof, without laying before ſaid wardens a plan of his or their intended wharf or wharfs, and without conſent firſt obtai under the ſeal of the board, to carry the ſame into effect; and in caſe any perſon or perſons make, alter or extend, a wharf or wharfs, without ſuch permiſſion, it ſhall and may be lawful for ſaid wardens to recover, by warrant, before a magiſtrate, a ſum not exceeding one hundred pou as in caſes of debts not exceeding five pounds, and forthwith to cauſe the ſame to be demoliſ provided that this act is not meant to extend to the demolition or removal of wharfs already m built and extended.

Baſon to be cleanſed, &c.

X. AND BE IT ENACTED, That ſaid wardens ſhall and may cauſe the baſon and harbour, or part or parts thereof as to them ſhall ſeem meet, as ſoon as enabled to carry the ſame into e to be cleanſed, ſcoured, cleared and ballaſted, and all obſtructions and annoyances in and upon ſaid baſon, harbour and river, whether from veſſels ſunk or any other cauſe, to be removed; and wards defraying the charges and coſts thereof, to impoſe on every veſſel entering or clearing at port one penny (a) per tun; which ſum is to be collected and paid to the naval-officer for ſaid which officer is to draw the ſame commiſſion upon ſaid collection as on collections made for the ſt and the naval-officer is hereby enjoined to collect and receive the rate aforeſaid, and to pay the from time to time, deducting the commiſſion aforeſaid, or four times each year, to ſaid ward ſaid rate to continue till a ſufficient ſum ſhall be raiſed for defraying the expence aforeſaid; a caſe of refuſal, it ſhall and may be lawful for the ſaid wardens to recover the ſame before a magiſt as in caſes of debt not exceeding five pounds.

(a) The power of impoſing this duty is repealed by 1791, ch. 60, which impoſes a duty not exceeding two cents p The act of 1791 was not to operate until ratified and confirmed by an act of the congreſs of the United States; this was by an act of the firſt ſeſſion of the fourth congreſs, ch. 26, paſſed the 12th of May, 1796, to continue for three years, the end of the next ſeſſion of congreſs thereafter.

No warden to ſit, &c.

XI. AND BE IT ENACTED, That no warden ſhall ſit in judgment in the execution of this ac any of the powers herein contained, where he is anywiſe intereſted or concerned.

Wardens may make regulations, &c.

XII. AND BE IT ENACTED, That the ſaid wardens, or a majority of them, ſhall, and they hereby authoriſed, to make ſuch regulations and ordinances, from time to time, reſpecting w and wharfage, and the keeping them in repair, ſo as to prevent their injuring the harbou baſon, and for preventing veſſels from caſting out filth or ballaſt, or any other cauſe, whether veſſels, wharfs, or the land or earth, or ſoil, contiguous to the baſon or harbour, being thrown the ſame, that may ſerve to fill up the ſaid harbour or baſon, or obſtruct the navigation thereof; to impoſe fines for every breach of ſaid rules, regulations or ordinances, not exceeding fifty po to be recovered before a magiſtrate, as in debts not exceeding five pounds; and all fines, penalti awards, the recovery of which is not ſpecially mentioned, to be recovered in ſame manner as in of debts not exceeding five pounds.

XIII. PROV

XIII. PROVIDED ALWAYS, That no rules, regulations or ordinances, directed to be made by this ... be repugnant to the laws of this government, and provided ſaid rules, regulations or ordinances, ... publiſhed in the Baltimore news-paper. CHAP. XXIV. Proviſo.

XIV. AND, for the greater ſecurity of the ſubject, BE IT ENACTED, That if any perſon or per... ſhall conceive him or themſelves aggrieved by any judgment given in conſequence of this act, it ... and may be lawful for ſuch perſon or perſons to appeal to the next county court, which ſaid ap... ſhall be allowed by the wardens or magiſtrate, upon ſufficient ſecurity given for proſecuting the ... Perſons aggrieved may appeal, &c.

XV. AND BE IT ENACTED, That the wardens may chooſe a treaſurer, who is hereby empowered ... required to receive all monies ariſing in virtue of this act, and to keep an account of all monies ...eived and paid by virtue of ſaid act; and the treaſurer is hereby required to give a bond, with ... or more ſufficient ſureties, to be approved of by ſaid wardens, to the ſaid wardens, in the pe...y of three thouſand pounds, with condition for the payment of all ſuch monies as ſhall come to ...hands by virtue of this or any other act; and ſaid treaſurer ſhall yearly, or oftener if required, ...g in a ſtate of his accounts, and ſettle the ſame with the wardens, which account ſo ſettled and ...roved of by ſaid wardens, ſhall be publiſhed annually in the Baltimore news-paper. Wardens may chooſe a treaſurer, &c.

XVI. AND BE IT ENACTED, That the wages of ſaid wardens, a commiſſion to the treaſurer, ...ch commiſſion ſhall be ſix-pence in the pound on all monies received in virtue of this act, the ſa... of the clerk, and all other expences neceſſarily ariſing out of this act, may and ſhall be paid out ...he monies raiſed by virtue of this act. Wages, &c. to be paid, &c.

...1796, ch. 68, the powers given to the port-wardens by this act, are transferred to the corporation of the city of Baltimore.

CHAP. XXV.

AN ACT for the relief of Robert Long. Lib. TBH. No. A. fol. 314. A Private Act. Paſſed 1ſt of June, 1783.

CHAP. XXVI.

AN ACT to inveſt the United States in congreſs aſſembled, with a power to levy, for the uſe of the ...nited States, certain duties on imported foreign goods, wares and merchandiſes, as a fund for ...he payment of the debt contracted by congreſs during the late war. Lib. TBH. No. A. fol. 314.

...This law was not to be in force before all the United States ſhould paſs laws veſting the congreſs with power to impoſe and ...y the ſaid duty; which was not done.

CHAP. XXVII.

AN ACT to repeal the act, entitled, An act empowering the truſtees to rent the poor-houſe of Frederick county. Lib. TBH. No. A. fol. 317.

...E IT ENACTED, *by the General Aſſembly of Maryland*, That the act of aſſembly, entitled, An act ... to enable the truſtees for the poor of Frederick county to rent out the poor-houſe, and apply ...rent towards the ſupport of the poor of that county, paſſed at a ſeſſion of aſſembly begun and ...d at the city of Annapolis on Tueſday the ſeventeenth of October, in the year of our Lord one ...ſand ſeven hundred and eighty, * ſhall be and hereby is repealed. An act repealed. * Chapter 6.

CHAP. XXVIII.

AN additional ſupplement to the act (a) to ſettle and adjuſt the accounts of the troops of this ſtate in the ſervice of the United States, and for other purpoſes. Lib. TBH. No. A. fol. 317.

(a) October, 1780, ch. 38.

WHEREAS by the reſolve of congreſs of the tenth of April, ſeventeen hundred and eighty, ... it is declared, that ſo ſoon as proper documents can be obtained, congreſs will cauſe to be ...e good to all officers and ſoldiers, then in ſervice, the depreciation of their pay: And whereas, ...the act to ſettle and adjuſt the accounts of the troops of this ſtate in the ſervice of the United ...es, and for other purpoſes, paſſed October ſeſſion, ſeventeen hundred and eighty, all officers and ...iers that had left the ſervice before the paſſing of the ſaid act were not provided for; therefore, Preamble.

CHAP. XXVIII.

Officers to have depreciation, &c.

II. BE IT ENACTED, *by the General Assembly of Maryland*, That all officers of the quota of troops of this ſtate, who were in the ſervice of the United States, who had ſerved two years, who reſigned prior to the paſſing the aforeſaid act, ſhall have the depreciation of their pay for time they were in ſervice made good to them, in the ſame manner as the aforeſaid act directs the preciation to be made good to thoſe who were in ſervice at the time of paſſing the ſame; and wh any ſuch officer has been killed in the aforeſaid ſervice, or has died, the depreciation of his pay be made good to his legal repreſentatives, in the ſame manner as it would be to him if living.

Soldiers diſcharged to have depreciation, &c.

III. AND BE IT ENACTED, That all ſoldiers of the quota of the troops of this ſtate, enliſted three years, who were in the ſervice of the United States, and whoſe time of enliſtment expi and all thoſe who from ſickneſs, bodily infirmity, or having been wounded in the ſervice, were charged before the paſſing the aforeſaid act, ſhall have the depreciation of their pay for the time were in ſervice made good to them, in the ſame manner as the aforeſaid act directs the depreci to be made good to thoſe who were in ſervice at the time of paſſing the ſame; and where any ſoldier has been killed in the aforeſaid ſervice, or has died, the depreciation of his pay ſhall be m good to his legal repreſentatives, in the ſame manner as it would be to him if living.

IV. AND, whereas by the reſolution of congreſs of the thirty-firſt of December, ſeventeen dred and eighty-one, it is recommended to the ſeveral ſtates reſpectively, to ſettle the depreci of the pay of all the officers that are inhabitants of their reſpective ſtates, and ſhall retire from vice under the preceding reſolutions, (alluding to reſolutions of the ſame day,) in the ſame ma as they ſettled with the officers of the line of their ſtate, and charge the ſame to the United Sta

Officers, inhabitants, to have depreciation, &c.

therefore, BE IT ENACTED, That all officers, inhabitants of this ſtate, who did belong to the c nental army, and who are within the deſcription of the reſolutions of congreſs of the thirty-fi December, ſeventeen hundred and eighty-one, ſhall have the depreciation of their pay for the they were in ſervice made good to them, in the ſame manner as the act to ſettle and adjuſt th counts of the troops of this ſtate in the ſervice of the United States, and for other purpoſes, di the depreciation to be made good to thoſe who were in ſervice at the time of paſſing the ſame; where any ſuch officer has been killed in the ſervice, or has died, the depreciation of his pay ſha made good to his legal repreſentatives, in the ſame manner as it would be to him if living; and auditor-general is hereby directed to charge the amount of all certificates iſſued in virtue of act to the United States.

CHAP. XXIX.

Paſſed 1ſt of June, 1783.

An ACT to relieve certain purchaſers of confiſcated property. Lib. TBH. No. A. fol. 318. Private Act.

CHAP. XXX.

An ACT to authoriſe the probat of wills in the county where witneſſes reſide. Lib. TBH. No. A. fol. 319.

Preamble.

WHEREAS it has already, and may hereafter frequently happen, that teſtators may make laſt will in counties remote from the county where their real eſtate may lie, and it is ver convenient for the witneſſes to ſuch will to prove the ſame, as now required by law;

Where wills may be proved, &c.

II. BE IT ENACTED, *by the General Aſſembly of Maryland*, That any laſt will and teſtament m or hereafter to be made, may be proved in the orphans court of the county, or before the regiſt ſuch court, where the witneſſes, or the greater part of them, may live; and letters teſtamen may be granted, and adminiſtration of the eſtate of ſuch teſtator made and completed in ſuch cou and if any perſonal property lies in any other county, warrant may iſſue to inhabitants of ſuch c ty to appraiſe the perſonal property in ſuch county.

Executors to procure a copy, &c.

III. AND, whereas it may be proper in ſome caſes to prove the will in the county where the neſſes reſide, and to obtain letters teſtamentary in the county where the perſonal property of the tator lies, BE IT ENACTED, That if the executor ſhall prove any will agreeable to the liberty g by this act, and deſire to obtain letters teſtamentary in any other county, that in ſuch caſe he procure an atteſted copy under the ſeal of the orphans court, of the will and probat, and on ducing the ſame to the orphans court (or regiſter) of any other county, the ſame ſhall be reco there, and he may obtain letters teſtamentary thereon, in the ſame manner as if the original wil been proved in ſuch county.

Such parts of this act as are inconſiſtent with or repugnant to the act of 1798, ch. 101, are by that act repealed.

CH

CHAP. XXXI.

AN ACT to naturalize Thomas Walley, ſon of Zedekiah Walley, and to make proviſion for the maintenance and education of the ſaid Thomas Walley, and Maria Graſon, daughter of Thomas Graſon. Lib. TBH. No. A. fol. 320. A Private Act. Paſſed 1ſt of June, 1783.

CHAP. XXXII.

AN ACT empowering the guardian mentioned in the paper purporting to be the laſt will and teſtament of John Cornthwaite, or any other guardian who may hereafter be appointed to John and Robert Cornthwaite, the infant ſons of the ſaid John Cornthwaite, to ſupport, maintain and educate the ſaid infants, out of the profits of the ſaid John Cornthwaite's eſtate, until they arrive to the age of twenty-one years reſpectively. Lib. TBH. No. A. fol. 321. A Private Act.

CHAP. XXXIII.

AN ACT reſpecting finance. Lib. TBH. No. A. fol. 322.

CHAP. XXXIV.

AN ACT reſpecting literary property. Lib. TBH. No. A. fol. 323.

This act was to commence and be in force from and after the time that ſimilar laws ſhould be paſſed reſpecting literary property in all and every of the United States; which was not done.

CHAP. XXXV.

AN ACT concerning the ſtock of the bank of England belonging to this ſtate. Lib. TBH. No. A. fol. 324.

Supplementary and other acts 1784, ch. 76, 1786, ch. 50, 1791, ch. 86.

WHEREAS by the laſt account, dated in London the twenty-fourth day of July, ſeventeen hundred and ſeventy-five, rendered by Oſgood Hanbury, Sylvanus Grove and James Ruſſell, eſqrs reſiding in London, to whom the direction and management of the capital ſtock of the bank of England belonging to this ſtate was by law committed, it appears that the ſaid capital ſtock, on ſaid day, amounted to the ſum of twenty-nine thouſand pounds ſterling; and that on the ſame day, in the ſame year, the ſum of four hundred and ſeventy-eight pounds three ſhillings like ſterling money remained in their hands, to be inveſted; and this general aſſembly think proper to diſcharge the ſaid truſtees, and to receive the ſaid ſtock and diſpoſe thereof; Preamble.

I. BE IT ENACTED, *by the General Aſſembly of Maryland*, That every truſt and power repoſed in the truſtees, and every of them, except only the power and authority of transferring the ſaid ſtock to the agent and truſtee appointed by this act, on behalf of this government, to receive the ſame, ſhall ceaſe and determine; and the agent and truſtee nominated in virtue of this act, ſhall have full power and authority to call on the ſaid Oſgood Hanbury, Sylvanus Grove and James Ruſſell, and each of them, and on the heirs, executors, adminiſtrators, deviſees, or legal repreſentatives, of any of them, reſpectively, to ſurrender up their truſt, and to render account to him of the faithful execution thereof; and to transfer or aſſign, to him and his aſſigns, the whole of the ſtock purchaſed by them, or any of them, in their names, or in any other manner, in virtue of their truſt, and to account and pay unto him any dividends ariſing from the ſaid capital ſtock, received and not inveſted by them in capital ſtock, agreeable to law, at ſhort and reaſonable times, and now remaining in their hands, after deducting thereout the commiſſion of two *per cent.* allowed them for their trouble; and on payment or receipt, the ſaid agent or truſtee is hereby authoriſed to give the ſaid Oſgood Hanbury, Sylvanus Grove and James Ruſſell, and each of them, or the heir, executor, adminiſtrator, deviſee or legal repreſentative, of either of them, a receipt, diſcharge or acquittance, in the name of this ſtate. Power to ceaſe, &c.

II. AND BE IT ENACTED, That the agent and truſtee, appointed in virtue of this act to call the ſaid truſtees to render account as aforeſaid, and to receive a transfer or aſſignment of the ſtock, ſhall have full power and authority to ſell the ſame, in ſuch ſums, ſhares or parts, as he ſhall think proper, and to transfer or aſſign the ſame to the purchaſer and his aſſigns; and the ſaid agent or truſtee is hereby directed to remit the monies ariſing from the ſale, immediately and without delay, together with any money received from the ſaid truſtees, or either of them, to the governor and council, or to lodge the ſame in ſome banker's hands of the firſt credit and reputation, as ſhall be ſo directed by the governor and council; and the ſaid agent and truſtee is alſo hereby required to govern himſelf in the diſcharge of the truſt repoſed in him by this act, agreeably to the inſtructions as he ſhall from time to time receive from the governor and council; and he ſhall be entitled to ſuch commiſſion as the governor and council may agree for, not exceeding four *per cent.* on the net ſum by him received, in full ſatisfaction for his trouble, and if he ſhall not be able to obtain the ſaid ſtock, no expences ſhall be defrayed by this ſtate. Agent may ſell ſtock, &c.

CHAP. XXXV. Agent to be appointed, &c.

IV. AND BE IT ENACTED, That the governor and council be authoriſed and requeſted to point and commiſſion, in the name and behalf of this ſtate, ſome ſenſible, diſcreet perſon, of a ties and addreſs, to be agent and truſtee, to execute the ſeveral truſts, powers and authorities him committed, in virtue and purſuance of this act; and the governor and council are reque on making ſuch appointment, to take bond from the ſaid agent and truſtee, with good ſecurity from other perſons on his behalf, in the penalty of eighty thouſand pounds current money, co tioned for the faithful execution of the truſt repoſed in ſuch agent by this act.

To pay bills of exchange, &c.

V. AND BE IT ENACTED, That the ſaid agent be authoriſed, and he is hereby required, to the bills of exchange drawn by the treaſurer of the ſtate, in virtue of the act of aſſembly, enti An act for calling out of circulation certain bills of credit emitted by act of aſſembly, paſſe * Chapter 38. November ſeſſion, in the year ſeventeen hundred and ſeventy-nine. *

CHAP. XXXVI.

Paſſed 1ſt of June, 1783.

An ACT to continue the acts of aſſembly therein mentioned. L TBH. No. A. fol. 326.

Acts continued.

BE IT ENACTED, *by the General Aſſembly of Maryland*, That an act of aſſembly, entitled, A plement to the act for the regulation of the ſtaple of tobacco, made at a ſeſſion of aſſe begun and held at the city of Annapolis on Tueſday the ſeventeenth day of October, ſeven hundred and eighty, (a) and an additional ſupplement to the act for the regulation of the ſtap tobacco, made at a ſeſſion of aſſembly begun and held at the city of Annapolis on Thurſday tenth day of May, ſeventeen hundred and eighty-one, (b) be and they are hereby continued, ſhall be and remain in full force until the end of the next ſeſſion of aſſembly; that all thoſe of one other act of aſſembly, entitled, An act concerning eſtates tail, and the juriſdiction o county courts, made at a ſeſſion of aſſembly begun and held at the city of Annapolis on Tu the fifteenth day of June, one thouſand ſeven hundred and ſeventy-three, (c) which relate to juriſdiction of the county courts, be and they are hereby continued, and ſhall be and remain i force until the end of the next ſeſſion of aſſembly.

(a) October, 1780, ch. 39. (b) May, 1781, ch. 16. (c) June, 1773, ch. 1.

CHAP. XXXVII.

An ACT to encourage the deſtroying of wolves. Lib. TBH. No. A. fol. 326.

To continue three years, &c. Expired.

CHAP. XXXVIII.

An ACT for the payment of the journal of accounts. Lib. TBH. No. A. fol. 327.

CHAP. XXXIX.

An ACT to empower Nicholas Carroll and James Carroll to leaſe certain lands therein menti Lib. TBH. No. A. fol. 328. A Private Act.

At a SESSION of the GENERAL ASSEMBLY of MARYLAN begun and held at the CITY of ANNAPOLIS, on Monday, 3d of November, in the year of our Lord 1783, and ended 26th day of December, the following laws were enacted.

WILLIAM PACA, ESQUIRE, GOVERNOR.

CHAP. I.

Paſſed 26th of Dec. 1783.

An ACT to revive and continue the acts of aſſembly for regulating the militia, and to empow governor to call out the militia to ſuppreſs inſurrections and quiet diſturbances. Lib. TBH A. fol. 330.

To continue until the end of the next ſeſſion, and to the end of the next ſeſſion by 1784, ch. 83. Expired.

CH

CHAP. II.

An ACT to conſtitute and appoint a ſelect veſtry in Saint-John's pariſh, in Prince-George's county. Lib. TBH. No. A. fol. 330. Paſſed 26th of Dec. 1783.

CHAP. III.

An ACT for the relief of John Galloway, of Baltimore county. Lib. TBH. No. A. fol. 331. A Private Act.

CHAP. IV.

An ACT for the benefit of William Ruſſell, of Great-Britain. Lib. TBH. No. A. fol. 331. A Private Act.

CHAP. V.

A Bill, entitled, An act to authoriſe and empower David Brown and Henry Wilſon, of Baltimore county, executors of the laſt will and teſtament of John Cornthwaite, late of the ſame county, deceaſed, to ſell and diſpoſe of the real eſtate therein mentioned. Lib. TBH. No. A. fol. 332. A Private Act.

CHAP. VI.

An ACT to record and make valid a deed of bargain and ſale executed by James Raley and Benjamin Newman and Mary his wife to John Moore, of Queen-Anne's county. Lib. TBH. No. A. fol. 333. A Private Act.

CHAP. VII.

An ACT to empower the juſtices of Baltimore county court to levy a ſum of money on the taxable inhabitants for the purpoſes therein mentioned. Lib. TBH. No. A. fol. 334.

CHAP. VIII.

An ACT for the relief of Thomas Bailey, of Baltimore county. Lib. TBH. No. A. fol. 335. A Private Act.

CHAP. IX.

A Supplement to an act, entitled, An act for the benefit of Mrs. Rebecca Hanſon and Miſs Catharine Dulany. Lib. TBH. No. A. fol. 335. A Private Act.

CHAP. X.

An ACT to enable the governor to iſſue commiſſions of oyer and terminer and gaol delivery in certain caſes. Lib. TBH. No. A. fol. 338.

CHAP. XI.

An ACT to lay out and eſtabliſh a public road leading from William Matthew's mill, in Baltimore county, until it interſects the main road where the old road formerly did. Lib. TBH. No. A. fol. 338.

WHEREAS ſundry inhabitants of Baltimore county have, by their humble petition to this general aſſembly, ſet forth, that a public road to and from William Matthews's mill, in ſaid county, leading towards Baltimore-town, is much wanted; that the preſent road is nearly impaſſable for waggons with a reaſonable load, and in the diſtance of little more than half a mile is one hundred and fifty-two perches longer than the old road; that the ſaid mill has been erected at a great expence, and completely fitted for very extenſive merchant country work, and that unleſs a paſſable road in the above direction is obtained, it will be rendered almoſt uſeleſs, the proprietor much injured in his circumſtances, and the neighbourhood put to a great diſadvantage; that they know of no ground near the ſaid mill leading to Baltimore-town ſo proper and convenient as that whereon the road formerly went, as it is laid down in the plot annexed to the ſaid petition, and that they wiſh a reaſonable ſatisfaction may be made to thoſe perſons through whoſe lands the ſaid road may paſs for any damage thereby ſuſtained; and that a law may be enacted for opening the old road, as delineated in the ſaid plot, and eſtabliſhing the ſame as a public road; all which facts appearing to this general aſſembly to be true, and that it will be of general utility to the inhabitants of Baltimore county to have the ſaid road opened and eſtabliſhed as a public road; Preamble.

II. BE IT ENACTED, *by the General Aſſembly of Maryland*, That Benjamin Nicholſon, Robert Lemmon, Jeremiah Johnſon and Robert Caples, Eſquires, be and are hereby appointed commiſſioners for viewing and laying out a road leading from William Matthew's mill, in Baltimore county, until it interſects the main road where the old road formerly did, and that they, or any three of them, be and they are hereby authoriſed and directed to open and lay out the ſaid road, agreeable to the prayer of the ſaid recited petition, and in the manner deſcribed and delineated in the plot to the ſaid petition annexed, and that the ſaid road be twenty feet wide, and when opened and laid out by the Commiſſioners appointed, &c.

ſaid

CHAP. XI.

ſaid commiſſioners, or any three of them, agreeable to this act, be deemed, taken and eſtabliſhed all intents and purpoſes, as a public road.

Damage to be aſcertained, &c.

III. BE IT ENACTED, That the ſaid commiſſioners, or any three of them, aſcertain the dam which the proprietors of the lands through which the ſaid road ſhall paſs may reſpectively ſu thereby, and that the valuation made by the ſaid commiſſioners, or any three of them, be pai the ſaid William Matthews to the perſon or perſons thus injured, as a full recompence therefor.

Proceedings to be reported, &c.

IV. BE IT ENACTED, That the commiſſioners aforeſaid, or any three of them, make a repor writing, ſigned by them, of their proceedings under this act, to Baltimore county court, at t next ſitting after the ſaid road is laid out, and that the ſame be filed by the clerk of ſaid court, recorded among the records thereof.

CHAP. XII.

Paſſed 26th of Dec. 1783.

An ACT to lay out and eſtabliſh a public road in Baltimore coun

Lib. TBH. No. A. fol. 339.

Preamble.

WHEREAS ſundry inhabitants of Baltimore county, by their humble petition to this ge aſſembly, have ſet forth, that many of the inhabitants of ſaid county labour under grea convenience and diſadvantage, for want of a direct road from the highway between Samuel W thington's and Benjamin Nicholſon's, by the mill of Thomas Matthews, until it interſects the road leading to Baltimore-town, near Thomas Hooker's; that the ſame will be of conſiderable lic advantage; that they are willing to make a reaſonable compenſation to the proprietors of lands through which the ſaid road may paſs; and that the diſtance will be greatly leſſened if the road is eſtabliſhed; praying that a law may paſs for that purpoſe; and it appearing to this genera ſembly, that the ſaid facts are true, and that the eſtabliſhing the ſaid road will be of general ut to the inhabitants of the county aforeſaid,

Commiſſioners appointed, &c.

II. BE IT ENACTED, *by the General Aſſembly of Maryland*, That Andrew Buchanan, Edward Coc Nathan Cromwell and John Murray, Eſquires, be and are hereby appointed commiſſioners for purpoſe of laying out a road leading from the highway between Samuel Worthington's and Benj Nicholſon's, and running by the mill of Thomas Matthews until it interſects the main road goin Baltimore-town at or near Thomas Hooker's; and that they, or any three of them, be and they hereby authoriſed and directed to open and lay out the ſaid road, agreeable to the prayer of the recited petition, and in the manner therein deſcribed, and that the ſaid road be twenty feet w and when opened and laid out by the ſaid commiſſioners, or any three of them, agreeable to this be deemed, taken and eſtabliſhed, to all intents and purpoſes, as a public road.

To aſcertain damages, &c.

III. BE IT ENACTED, That the ſaid commiſſioners, or any three of them, aſcertain the dam which the proprietors of the lands through which the ſaid road ſhall paſs may reſpectively ſu thereby; and that the valuation made by the ſaid commiſſioners, or any three of them, be pai the ſaid Thomas Matthews to the perſon or perſons thus injured, as a full recompence therefor.

To report, &c.

IV. BE IT ENACTED, That the commiſſioners aforeſaid, or any three of them, make a repo writing, ſigned by them, of their proceedings under this act, to Baltimore county court, at t next ſitting after the ſaid road is laid out, and that the ſame be filed by the clerk of ſaid court, recorded among the records thereof.

CHAP. XIII.

An ACT to empower the veſtry of Somerſet pariſh, in Somerſet county, to ſell and diſpoſe of a of the negroes belonging to ſaid pariſh, for the purpoſes therein mentioned. Lib. TBH. No fol. 340.

CHAP. XIV.

An ACT to open and eſtabliſh a public road in Dorcheſter coun

Lib. TBH. No. A. fol. 341.

A Supplement April, 1787, ch. 13.

Preamble.

WHEREAS Michael Hall Bonwill, of Dorcheſter county, by his petition to the genera ſembly did ſet forth, that he is ſeized of an eſtate in fee-ſimple in a large body of land a ſix miles from the town of Vienna, on which is erected a very valuable griſt mill, which he ap hends will be much more uſeful to the public, if he is enabled to open a road for carts and carr

niges to have free acceſs to the ſaid mill, and prayed that an act might paſs, empowering him to a road from the main road that leads from New-Market to the town of Vienna to his ſaid mill, from his aforeſaid mill to the main road that leads from the town of Cambridge to Vienna; and it aring to this general aſſembly that the aforeſaid facts are true, and that the eſtabliſhing the ſaid will be of great utility to a great number of the inhabitants of the county aforeſaid; CHAP. XIV.

I. BE IT ENACTED, *by the General Aſſembly of Maryland*, That Joſeph Richardſon, Willis New- and James Steele, or any two of them, be and are hereby appointed commiſſioners for the pur- of laying out a road from the main road that leads from New-Market to the town of Vienna to griſt mill of the aforeſaid Michael Hall Bonwill, and from ſaid mill till it interſects the main that leads from the town of Cambridge to the town of Vienna, and that they, or any two of , be and they are hereby authoriſed and directed, to open and lay out the ſaid road in the man- they ſhall think moſt beneficial to the public, and leaſt injurious to individuals who own the lands ugh which ſaid road will paſs; and that the ſaid road be twenty feet wide, and when opened laid out by the ſaid commiſſioners, or any two of them, agreeable to this act, be deemed, taken eſtabliſhed, to all intents and purpoſes of a public road. Commiſſioners appointed, &c.

II. AND BE IT ENACTED, That the ſaid commiſſioners ſhall aſſeſs and aſcertain the damages done perſon or perſons by the ſaid road paſſing through their lands, which ſhall be paid by the ſaid hael Hall Bonwill on a day to be ſet by the commiſſioners, or any two of them. To aſcertain damages, &c.

III. AND BE IT ENACTED, That the aforeſaid Michael Hall Bonwill ſhall be at the whole and ſole nce of laying out and making ſaid road as laid out by the commiſſioners aforeſaid, and keep up road as a public road at his expence for three whole years after ſuch road is firſt made, and at expiration of ſaid three years, the juſtices of Dorcheſter county ſhall and they are hereby re- d to regiſter the aforeſaid road among their records, and appoint an overſeer, and apportion the s that are to work on and keep ſaid road in repair, (except that part of ſaid road which leads the milldam of ſaid Michael Hall Bonwill, which ſhall be kept up by the poſſeſſor of the mill ſaid for the time being, under the ſame penalty as the owners of mills where the road paſſes on dams are ſubject to by an act, entitled, An act for repairing the public roads in this province, n and held at the city of Annapolis the ſecond day of October, ſeventeen hundred and fifty- ,) in the ſame manner as other public roads are kept up in the county aforeſaid. W. H. Bonwill to be at the ſole expence, &c.

CHAP. XV.

ACT to empower Edward Downes to collect by diſtreſs and ſale the arrears due for public and unty aſſeſſments to the late collector of Queen-Anne's county. Lib. TBH. No. A. fol. 342. Paſſed 26th of Dec. 1783.

CHAP. XVI.

ACT to authoriſe and empower Robert Ballard, adminiſtrator of the goods and chattels, rights d credits, of Jonathan Plowman, late of Baltimore county, deceaſed, unadminiſtered by Re- cca Plowman and David Arnold, his executors at the time of their deceaſe, with the will an- xed. Lib. TBH. No. A. fol. 342. A Private Act.

A Supplement 1784, ch. 34.

CHAP. XVII.

ACT to raiſe the ſupplies for the enſuing year. Lib. TBH. No. A. fol. 343.

OR raiſing the neceſſary ſupplies for the enſuing year, BE IT ENACTED, *by the General Aſſembly of Maryland*, That the rate or aſſeſſment of fifteen ſhillings current money ſhall be and is hereby and impoſed for every hundred pounds worth of property within this ſtate, and in the ſame portion for every greater or leſs ſum; and the ſaid rate or aſſeſſment ſhall be paid, collected levied, in the manner herein after directed. Rate of aſſeſſment, &c.

I. PROVIDED, That all property belonging to this ſtate, the United States, or either of them, any church, county or pariſh, or to any public or county ſchool, all proviſions, (except live) neceſſary for the uſe and conſumption of the perſon to whom the ſame ſhall belong and mily for the year, plantation utenſils, the working tools of mechanics and manufacturers actu- nd conſtantly employed in their reſpective occupations, ready money, and wearing apparel, ſhall re hereby excepted from any rate or aſſeſſment. Proviſo.

III. AND

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Commissioners to be appointed, &c.

III. AND BE IT ENACTED, That five sensible, discreet and experienced persons, shall be appoi in each county of this state, who shall be called Commissioners of the Tax, and they, or any t or more of them, shall be the commissioners for each county; provided, that no member of general assembly or the council, clergyman, practising attorney or physician, sheriff, clerk the general or any county court, ordinary-keeper, mariner or inspector, shall be appointed a missioner.

Names of the commissioners.

IV. AND BE IT ENACTED, That the following persons shall be and they are hereby appointed missioners for the several and respective counties of this state, to wit: For Saint-Mary's co Messieurs Ignatius Fenwick, Robert Watts, Jeremiah Jordan, Robert Chesley and Thomas B for Kent county, Messieurs Richard Miller, William Maxwell, junior, George Hanson, Nath Comegys and Simon Wickes, Chester-town; for Anne-Arundel county, Messieurs John Weems, Brice, William Hall, Edward Gaither and Rezin Hammond; for Calvert county, Messieurs D Rawlings, Thomas Blake, Joseph Wilkinson, Thomas Mackall and Frederick Shinner; for Ch county, Messieurs Richard Barnes, Robert Young, Thomas Harris, Henry Barnes and Ge Blackiston Cousin; for Baltimore county, Messieurs William Spear, Benjamin Rogers, Darby Samuel Owings and Daniel Bowley; for Talbot county, Messieurs Thomas Sherwood, Howes G borough, Samuel Chamberlain, Peregrine Tilghman and Henry Banning; for Somerset county, sieurs William Gillis, David Wilson, John Winder, John Williams and William M'Bryde; for chester county, Messieurs Robert Harrison, Henry Hooper, Q. S. Joseph Ennalls, John Goldsbor and James Sulivane; for Cæcil county, Messieurs Samuel Gilpin, John Ward, (inspector,) Jere Baker, Samuel Veazey and James Evans, senior; for Prince-George's county, Messieurs Wi Beanes, William Bowie, Nathaniel Magruder, Edward Sprigg and John Contee; for Queen-A county, Messieurs Aquila Brown, Richard Tilghman, 4th, Richard Tilghman Earle, John B and Arthur Emory, junior; for Worcester county, Messieurs Thomas Martin, John Selby, Th Purnell, of Thomas, Samuel Handy and Ebenezer Handy; for Frederick county, Messieurs Wi Murdock Beall, Thomas Hawkins, Peter Mantz, Joshua Giest and James Ogle; for Harford co Messieurs Thomas Johnson, John Rumsey, William Wilson, James Bond and Abraham Whitt for Caroline county, Messieurs Robert Pottlewaite, Philemon Downes, Matthew Driver, Philip W er and Thomas Mason, of Richard; for Washington county, Messieurs Alexander Clagett, Ch Swearingen, Denton Jacques, James Prather and Joseph Cresap; for Montgomery county, Mess Richard Brooke, Samuel Thomas, 3d, Richard Wootton, William Holmes and Thomas Crampl

Their oath.

V. AND BE IT ENACTED, That every commissioner, appointed, (or to be appointed) in virt this act, shall, before he acts as such, take the following oath, or affirmation if a quaker, men or tunker, to wit: "I, A. B. do swear, or solemnly, sincerely and truly declare and affirm, th "commissioner for ——— county, I will, to the best of my skill and judgment, execute the d "of the said office diligently and faithfully, according to the directions of this act, without fa "affection or partiality, and that I will do equal right and justice, according to the best of my k "ledge, in every case in which I shall act as commissioner; so help me GOD."

Commissioners exempt, &c.

VI. AND BE IT ENACTED, That every commissioner who shall take upon himself the exec of this act shall, during the time he shall act as commissioner, be exempt from all military duty.

Penalty for refusing to serve, &c.

VII. AND BE IT ENACTED, That if any person appointed commissioner of the tax shall refu serve, not having a reasonable excuse in the judgment of the county court of his county, he sha such refusal forfeit the sum of one hundred pounds current money.

How vacancies are to be filled.

VIII. AND BE IT ENACTED, That if any one or two of the commissioners for any of the cou aforesaid shall die, refuse, or be rendered incapable to act, a majority of the remaining commiss may appoint some other in the place of the person or persons who shall die, refuse, or be inca to act; and if any three or more of the said commissioners shall die, refuse, or be incapable t the governor, with the advice of the council, may appoint some person or persons in his or place, so as to make up the number of three commissioners, and they shall fill up the remainin cancies in manner aforesaid.

Duty of commissioners.

IX. AND BE IT ENACTED, That the commissioners of the tax shall meet at the place wher county courts are usually held in their respective counties, on the first Monday in February or as soon thereafter as they may have notice of this act, and as often after as shall be nece and the said commissioners, at their said meeting, shall appoint a clerk, who shall be and is h required, in case he has no reasonable excuse, to act as such for the ensuing year, under the pe

wenty pounds current money; and the ſaid commiſſioners ſhall and they are hereby authoriſed and ired to call before them the clerks of the ſeveral counties reſpectively, or any other perſon or ſons who may have poſſeſſion of the aſſeſſors returns, and liſt made out by the commiſſioners of the for the year ſeventeen hundred and eighty-three, and ſuch perſon or perſons, when called upon, ereby required to deliver up all ſuch returns, alſo the liſt aforeſaid, and all other papers thereunto ing, under the penalty of fifty pounds current money; and the ſaid commiſſioners ſhall and they hereby authoriſed and required to take the ſaid returns of property, and liſt made out by the miſſioners, for their ground and foundation, and ſhall proceed to rate all the inhabitants of their eral counties, for their real and perſonal property, on the ſame ſcale, and on the ſame principles, were laid down and aſcertained in the act for raiſing the ſupplies for the year ſeventeen hundred eighty-three, and where there is no change or alteration, by ſale or purchaſe, or otherwiſe, of s, negroes, goods and chattels, the ſeveral perſons are to be rated in the ſame manner for the ing year that they were rated the year preceding, and where they ſhall know, or have good rea- to believe, that any change or alteration hath happened, by ſale, purchaſe, death or otherwiſe, they, or the major part of them, ſhall proceed to charge the perſon or perſons liable with the erty they may reſpectively have acquired, or give them credit for the property they may have ed from, always regarding the ſcale or proportion on which others ſtand charged, ſo as to make s nearly equal as may be.

They may change aſſeſſment, &c.

II. AND BE IT ENACTED, That the ſaid commiſſioners, or the major part of them, where they be fully ſatisfied that any perſon or perſons within their county already ſtands charged with or leſs than their due proportion, in a comparative view with others reſiding in the ſame coun- they are hereby authoriſed and fully empowered to make ſuch change in the rate or aſſeſſment as hem may appear juſt and reaſonable.

Clerk to deliver a liſt, &c.

III. AND BE IT ENACTED, That the ſeveral county clerks ſhall and they are hereby authoriſed required to deliver the commiſſioners of their county a liſt of alienations for the year ſeventeen dred and eighty-three of real property in their reſpective counties, with all convenient ſpeed deſired ſo to do, under the penalty of twenty pounds current money for every neglect or refuſal.

Commiſſioners may meet in any other place, &c.

IV. AND BE IT ENACTED, That the commiſſioners of the tax ſhall have full power and authority meet at any other place in their reſpective counties that the major part of them may agree upon, which may be by them thought more convenient to the inhabitants of the ſeveral hundreds or icts in their reſpective counties.

Perſons to give an account, &c.

V. AND, for the diſcovery of all perſonal property liable to aſſeſſment by this act, where the miſſioners may have good reaſon to believe there hath been any change, BE IT ENACTED, That y perſon, when required by the commiſſioners of the county, or by any one or more of them, in h his perſonal property lies, ſhall give in to ſuch commiſſioner or commiſſioners a full and par- ar account of all his perſonal property in the ſame county, and of all property in his poſſeſſion e to aſſeſſment, and to whom the ſame belongs; and if any perſon ſhall refuſe, or after rea- ble and convenient notice ſhall neglect, to render ſuch account, he ſhall forfeit not exceeding nty pounds current money for ſuch refuſal or neglect; and the commiſſioners or the major part hem ſhall, on their own knowledge, or the beſt information they can obtain, value the perſonal erty of ſuch perſon to the utmoſt ſum they believe in their conſcience the ſame may be worth, the ſaid commiſſioners ſhall double the aſſeſſment of ſuch perſon, and the ſame ſhall be col- d as the rate by this act impoſed; and if any perſon ſhall give a partial account of his onal property, or of the property in his poſſeſſion, with intent that the payment of the rate on property omitted may be avoided, ſuch perſon ſhall forfeit the value of the property ſo omitted.

Valuation of ſlaves, &c.

VI. AND BE IT ENACTED, That the following ſpecies of perſonal property ſhall be valued at reſpective ſums following, to wit: Every male and female ſlave from eight to fourteen years of twenty-five pounds current money, and every male ſlave from fourteen to forty-five years of age nty pounds like money, and every female ſlave from fourteen to thirty-ſix years of age ſixty pounds money; and ſilver plate eight ſhillings and four-pence like money per ounce, and the other ar- s of perſonal property ſhall be left to the diſcretion and judgment of the ſeveral commiſſioners, ſhall eſtimate the ſame at its preſent actual worth in ready money, in coin, at the value aſcer- d and made current by law; provided, that the ſaid commiſſioners ſhall be at liberty, and are by directed, to eſtimate male ſlaves, who are tradeſmen, at ſuch value as they may judge them e worth, regarding their reſpective trades and their proficiency therein, and the annual value g therefrom, and alſo male and female ſlaves under eight years of age, and male ſlaves above

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the age of forty-five years, and female above the age of thirty-six years, to a true proportio value to male and female ſlaves above or under thoſe ages; and if any ſlave ſhall not be per in his limbs or ſight, or from the want of health, or any viſible infirmity, ſhall be rendered i pable to perform his uſual and proper labour, the commiſſioners ſhall make a reaſonable abate for ſuch cauſe, and ſhall note the ſame in his return.

How ſurplus land is to be rated, &c.

XV. AND, whereas it may be juſt and reaſonable in ſome caſes to vary from the quantity acres contained in the patent or deed by which the preſent poſſeſſor holds the ſame; BE IT ENACT That where the commiſſioners ſhall know, or be informed and have good reaſon to believe, there is ſurplus land held under the patent or deed, it ſhall and may be lawful, and they are he required, to call on the perſon to whom the land is aſſeſſed to aſcertain the quantity of ſuch l and the ſaid commiſſioners may, in their diſcretion, for the better aſcertaining the quantity the adminiſter an oath, or affirmation if a quaker, menoniſt or tunker, to ſuch perſon, to diſcover knowledge or belief touching the quantity of ſuch land; and the party ſo to be aſſeſſed ſhall an is hereby obliged to take ſuch oath or affirmation as aforeſaid, and anſwer thereon as to the quan of ſuch land to the beſt of his knowledge and belief, under the penalty of fifty pounds current m for every neglect or refuſal; and where any perſon aſſeſſed holds leſs than the quantity ſpecifie the patent or deed, it ſhall and may be lawful for the party aſſeſſed to aſcertain the quantity by or affirmation as aforeſaid, or otherwiſe to prove the ſame to the ſatisfaction of the commiſſion who ſhall allow for ſuch deficiency.

Proviſo.

XVI. AND, whereas ſome of the people called quakers, menoniſts or tunkers, are princi againſt bearing arms in any caſe, or contributing property for ſupporting any war, and therefore fuſe to give in any account for their property, and this general aſſembly are willing to make allow for the real weakneſſes of men, as far as the public good will permit, IT IS HEREBY PROVIDED ENACTED, That where the refuſal or neglect of any quaker, menoniſt or tunker, to give in his perty, ſhall be returned to the commiſſioners, and the commiſſioners believe that ſuch perſon friend to the preſent government, and that his refuſal or neglect proceeds from ſcruples of conſci only, they ſhall not double the aſſeſſment of ſuch perſon, nor ſhall he be liable to any penalty ſuch refuſal or neglect.

Perſons guilty of fraud to pay double, &c.

XVII. AND BE IT ENACTED, That if any perſon, who ought to be aſſeſſed by virtue of thi for any perſonal property, ſhall, by removing his or her effects from the county where they ough have been valued, or by any other fraud or device eſcaped being taxed, and the ſame may be pr before any one of the commiſſioners, or any juſtice of the peace for the county where ſuch perſon ſides, at any time within one year next after his property ought to have been valued, every perſon ſhall be charged in the county where he is found, upon proof thereof, double the value of ſum he ought to have been rated by this act, and the ſame ſhall be collected from ſuch perſo the collector of the county where he ſhall be found.

How eſtates are to be valued, &c.

XVIII. AND BE IT ENACTED, That all lands held or enjoyed immediately by tenants in fee-ſi conditional or executory, or fee-tail, or by tenant for life without any contingency and impeach of waſte, and who pays no rent, or by tenant by the courteſy, ſhall be wholly valued to ſuch tena and land aſſigned to and held by tenant in dower, ſhall be aſſeſſed to ſuch tenant; and where di perſons have particular eſtates or intereſts carved out of the ſame inheritance, as for years, w reverſion or remainder for life or in fee, a juſt computation thereof ſhall be made in proportion to value of their particular intereſts therein, ſo that added together they ſhall amount to the full v of ſuch lands, eſtimated agreeable to the directions of this act, in which computation the lengt the term for years, the age and health of the tenant for life, and the chance of the reverſion, be conſidered; and as a rule for the commiſſioners to aſcertain the value of ground-rent in A polis, Frederick, Baltimore, and other towns, the leſſors of ground-rent to the amount o pounds ſhall be aſſeſſed as for one hundred pounds capital, and in the ſame proportion for greater or leſs ſum; and the leſſees ſhall be aſſeſſed on the actual worth of the improvements ſince the leaſe, and the preſent value of the land, after deducting therefrom the value there the time of the leaſe, which value ſhall be eſtimated at one hundred pounds for every ſix poun the ground-rent reſerved, and ſo *pro rato* for every greater or leſs ſum; and the leſſees ſha chargeable with and pay the ſum rated to the leſſors, and deduct the ſame out of the rent; a is the intention of this act, that leſſors of ground-rent be chargeable in no caſe but only on the they receive; and as a rule for the commiſſioners to aſcertain the value of houſes in Annapolis, derick, Baltimore, and other towns, yielding an annual rent, the leſſors ſhall be aſſeſſed for e twelve pounds of the rent reſerved as for one hundred pounds capital, and in the ſame proportio

greater or leſs ſum of the rent reſerved; and the leſſees ſhall be aſſeſſed in the ſame manner as ees of ground-rent, and the leſſees ſhall be chargeable with and pay the ſum rated to their leſſors, deduct the ſame out of the rent, and the leſſors are in no caſe to be chargeable but only on the t by them received.

Land may be ſold, &c.

XIX. AND BE IT ENACTED, That in all caſes where the collector can find no effects on the land longing to the party chargeable with the aſſeſſment ſufficient to pay the ſame, if diſtreſſed, and the e cannot be otherwiſe recovered, by reaſon of the owner reſiding out of the ſtate, or the collec- not knowing in what county of this ſtate the owner doth reſide, it ſhall and may be lawful for the miſſioners of the tax in the county where ſuch lands be, after thirty days public notice, to cauſe much of the ſaid lands, or of the timber thereon, to be ſold at auction, as may be neceſſary to pay aſſeſſment.

How tobacco is to be rated, &c.

XX. AND BE IT ENACTED, That all tobaccoes in the ſeveral warehouſes during the courſe of the r ſeventeen hundred and eighty-four, ſhall, inſtead of aſſeſſment or rate as uſual, pay per hog- d the ſum of one ſhilling and ſix-pence current money; and the ſeveral inſpectors are authoriſed required to receive the aſſeſſment or rate aforeſaid, before the tobaccoes be delivered out, ex- only in caſe of tobacco purchaſed for the uſe of this ſtate, or the United States, or either of ; and in caſe any inſpector deliver out ſuch tobaccoes after notice of ſuch rate or aſſeſſment hout receiving ſuch rate, he ſhall be liable to pay double the value thereof, to be recovered be- a ſingle magiſtrate, who ſhall receive and render account of, and pay the ſame, to the collector his county, within one month thereafter, under the penalty of paying ten *per cent.* intereſt; and y inſpector ſhall pay the aſſeſſment or rate by him received to the collector of his county within month thereafter, under the penalty of paying ten *per cent.* intereſt; but no inſpector or collector l be anſwerable for the aſſeſſment on tobacco in warehouſe, before they ſhall reſpectively receive, ought to have received, the ſame; and every inſpector ſhall render, from time to time, to the miſſioners of the tax, a true account of all tobacco in the warehouſes under his care.

Proviſo.

XXI. PROVIDED ALWAYS, That where tobacco was aſſeſſed to the owners thereof during the year nteen hundred and eighty-three, in their own tobacco-houſes or warehouſes, and the ſame and quantity thereof is made appear to the commiſſioners, or any one of them, by the oath of the y or otherwiſe, it ſhall and may be lawful for the commiſſioners, or the major part of them, to ount the value of ſaid tobacco, as rated for that year, out of the groſs amount of the aſſeſſment very perſon reſpectively.

Commiſſioners to hear complaints, &c.

XXII. AND BE IT ENACTED, That the ſaid commiſſioners ſhall meet on the firſt Monday in next, at the uſual place of holding their reſpective county courts, to hear and determine the plaint of any perſon who may think himſelf grieved by his property being over valued by any or, and ſhall ſit for the ſpace of two days next following, and as often afterwards, within thirty thereafter, as may be neceſſary, for determining and hearing all appeals made to them; and if ſaid commiſſioners ſhall not meet and ſit as aforeſaid, every commiſſioner failing therein ſhall it and pay the ſum of twenty pounds current money, unleſs prevented by ſickneſs or other una- ble accident; and if any perſon ſhall apprehend himſelf injured by the valuation of his proper- and ſhall thereof complain to the ſaid commiſſioners, they ſhall, at the time of their ſitting to appeals, examine any perſon, or, in their diſcretion, the party complaining, on oath, or affirma- if a quaker, menoniſt or tunker, touching the particulars or value of ſuch property, and, upon examination or knowledge thereof, abate or increaſe the ſaid valuation, and a certificate of ſuch ement or increaſe ſhall forthwith deliver, or cauſe to be delivered, to the collector, who ſhall ect and levy the rate to ſuch perſon according to the abatement or increaſe ſo made.

Sheriff to be appointed collector, &c.

XXIII. AND BE IT ENACTED, That the commiſſioners of the tax ſhall, at their firſt meeting, or in ten days thereafter, appoint the ſheriff of each county collector, on his giving bond with and ſufficient ſecurities, to be approved of by the commiſſioners, and on his refuſal or neglect, they ſhall appoint ſuch other perſon as they may judge moſt proper, to be collector of the in their county, and the perſon ſo appointed ſhall appear before the commiſſioners within five after notice of his appointment, and in their preſence enter into bond, with good and ſufficient rities, ſuch as they ſhall approve, in double the ſum to be collected, with condition, "that if the e bound ——— ſhall well and faithfully execute and perform the ſeveral duties required of him as ctor of the tax for —— county, according to law, then the above obligation to be void, elſe to in in full force;" and the commiſſioners ſhall witneſs the execution of ſuch bond, and immediately after tranſmit the ſame to the clerk of the county court, who ſhall record the ſame, and tranſ-

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mit the original to the clerk of the general court, who ſhall alſo forthwith record the ſame, and im diately thereafter deliver the original to the regiſter of the chancery court, to be by him ſafely in the chancery office; and an atteſted copy of either of the ſaid records ſhall be as good evid in law as if the ſaid bond was actually produced and proved in court; and any perſon appoint collector, who ſhall, after notice of his appointment, neglect to appear, not having a reaſonable cuſe in the judgment of the commiſſioners, or appearing ſhall refuſe to take upon him the offic collector, or ſhall refuſe or neglect to give bond as aforeſaid, ſhall forfeit and pay fifty pounds rent money; and the commiſſioners of the tax may alſo, in their diſcretion, remove any colle from his office, and ſhall immediately, on any vacancy by death or removal, or by refuſal to neglect to appear or to give bond as aforeſaid, appoint ſome other collector, who ſhall be ſubje the ſame penalty in caſe of neglect or refuſal, until a proper collector can be procured for ſuch cou

Collector to ſhew certificates, &c.

XXIV. AND BE IT ENACTED, That the collector or his deputy ſhall, on the requeſt of any ſon charged, or on the requeſt of any perſon offering to pay for any perſon charged, ſhew to the ſon ſo applying the certificate given by the commiſſioners of ſuch charge, and if required, give a copy thereof; and if it ſhall appear to any collector, that any perſon ſhall reſide in any other trict of his county than that in which his property ſhall be valued, it is hereby declared to be duty of ſuch collector to enter ſuch aſſeſſment under the diſtrict where ſuch perſon ſhall reſide; if it ſhall appear to any collector, that any perſon whoſe property ſhall be valued in his county not reſide therein, it is hereby declared to be the duty of ſuch collector to make diligent inq where ſuch perſon ſhall live, and he ſhall, if known, tranſmit to the collector of the county w ſuch perſon ſhall reſide a copy of the valuation made on the property of ſuch perſon in his cou and ſuch collector, on receipt thereof, ſhall enter the ſame under the diſtrict where ſuch pe ſhall reſide, and collect the ſame.

Counties to be divided, &c.

XXV. AND BE IT ENACTED, That the commiſſioners aforeſaid ſhall and may divide thei ſpective counties into convenient diſtricts, containing not leſs than one or more than three e hundreds; and the ſaid collector, with the approbation of the ſaid commiſſioners, ſhall appoi deputy in each diſtrict, for whom he ſhall be anſwerable.

Liſt to be delivered, &c.

XXVI. AND BE IT ENACTED, That the commiſſioners ſhall, on or before the firſt Monday in next, make out and deliver to the collectors an alphabetical liſt of the perſons in each di chargeable for the property therein, the amount of the valuation of each perſon's property re tively, as made by them, or as corrected by them, expreſſing the ſum to be paid thereon by this

When the aſſeſſment is to be paid, &c.

XXVII. AND BE IT ENACTED, That every perſon ſhall, on or before the firſt day of Oct next, pay to the collector of the county, or his deputy in the diſtrict where his property was lued, the aſſeſſment impoſed by this act, in current money or bank notes.

Guardians may pay for infants, &c.

XXVIII. AND BE IT ENACTED, That where any perſon, whoſe property is chargeable with the by this act impoſed, ſhall be under the age of twenty-one years, if the parent or guardian of infant ſhall make payment, the ſame ſhall be allowed him in his account with ſuch infant.

Time for collecting the aſſeſſment, &c.

XXIX. AND BE IT ENACTED, That the ſaid collectors and their deputies ſhall, immediately the firſt day of October next, collect the whole aſſeſſment impoſed by this act, by diſtreſs and of any goods or chattels within his county, the property of any perſon charged therewith, of w ſale five days notice, excluding the day of notice and ſale, ſhall be given, and by diſtreſs and ſa any goods and chattels found on any land chargeable with the ſaid rate, of which the ſame n ſhall be given, which ſaid ſales ſhall be for current money; and if no effects can be found o ſaid land, the ſame ſhall be chargeable with the aſſeſſment which may be unpaid, with ſix *per* intereſt thereon from the firſt day of October next, in the hands of any proprietor, and any goo any time found on the premiſes ſhall be liable to diſtreſs and ſale for payment thereof; and the re tive collectors ſhall, from time to time, diſcloſe to the commiſſioners of his county his receipts o rate impoſed by this act, and ſhall, from time to time, pay to the treaſurer of his ſhore, by dire of the commiſſioners, as far as he ſhall have received, ſo that no great ſum of money may lon main in his hands.

Collectors to render fair accounts, &c.

XXX. AND BE IT ENACTED, That each of the ſaid collectors ſhall appear at the place of ing the county court for his county on the tenth day of November next, and then and ther before the commiſſioners of his county an accurate and fair account of his collection of the aforeſaid, under the penalty of two hundred pounds current money; and the ſaid commiſſioners

pear at the ſame time and place, under the penalty of twenty pounds on each commiſſioner not appearing, unleſs prevented by ſickneſs or unavoidable accident, and they ſhall immediately proceed to ſtate his ſaid account, charging him in current money or bank notes, according as he received or ought to have received the ſame, and ſhall, upon ſuch ſettlement, allow to the ſaid collector a commiſſion of four *per cent.* on the collection of the rate or aſſeſſment made in money, bank notes or certificates allowed by this act to be diſcounted, or on the ſum they ſhall adjudge him to be anſwerable for, and the commiſſioners ſhall not allow the collector any deductions of any part of the ſums mentioned the certificates by them made, except only in ſuch caſes where it ſhall appear to them that he has ed all lawful means for the levying and collecting the ſame, two copies of which account, ſo adjuſt- with a certificate of the balance thereof, ſhall be ſigned by the ſaid commiſſioners, and on or be- the twentieth day of November next delivered to the ſheriff of their reſpective counties, en- ſed on the public ſervice, one to be by him forwarded as public letters to the clerk of the houſe delegates, and the other to the treaſurer of his ſhore; and every collector ſhall pay to the trea- er of his ſhore, on or before the fifth day of December next, the whole balance of his account, ſted by the commiſſioners, and upon failure in payment by any collector, the treaſurer of his re ſhall, on or before the twenty-firſt day of December next, obtain a copy of his bond, and file ſame in the general court, and thereupon *ſcire facias* ſhall iſſue againſt ſuch collector and his ſecu- es, in the ſame manner as on bonds to the loan-office, and ſimilar proceedings ſhall be had to pel payment of the money due, with intereſt of ten *per cent.* from the ſaid fifth day of December t.

XXXI. AND, to prevent any damage to any collector from the negligence of his deputies, or by r receiving the taxes and converting the ſame to their own uſe, BE IT ENACTED, That the com- ioners of the tax be empowered, on hearing, (or default to appear on notice,) to adjuſt the ac- nt between the collector and any of his deputies, concerning his receipt, collection, or neglect of y, as deputy-collector, and may order the balance to be paid, either immediately, or by a ſhort to be limitted, and may alſo carry ſuch order into effect, by their warrant, directed to the ſheriff, levy the ſum due, in the ſame manner as by *fieri facias*, on the lands, goods or chattels, of the de- , or to take his body in execution as on a *capias ad ſatisfaciendum*, in ſatisfaction thereof. Commiſſioners to adjuſt accounts, &c.

XXXII. AND BE IT ENACTED, That all the certificates of aſſeſſment or rate aforeſaid made out by commiſſioners, and all their books of proceedings, and the accounts by them ſettled with the eral collectors, ſhall be fairly tranſcribed by their clerk, and ſigned by them, and delivered to ſheriff of their reſpective counties on or before the twenty-fifth day of November next, under penalty of fifty pounds current money, to be by the ſaid ſheriff forwarded as public letters to clerk of the houſe of delegates; and the certificates aforeſaid, and the proceedings of the com- ioners, and accounts by them ſettled with the ſeveral collectors, ſhall be by them delivered, on before the twenty-fifth day of November next, to the clerk of their county, under the penalty fifty pounds current money, to be by the ſaid clerk ſafely kept in his office for the inſpection of inhabitants of ſuch county. Certificates, &c. to be tranſcribed, &c.

XXXIII. AND BE IT ENACTED, That the clerk to the commiſſioners in each county ſhall, on or re the tenth day of September next, make out from the aforeſaid certificates of property for col- ion, and the corrections thereof (if any) by the commiſſioners, a ſummary account or liſt (in mns,) in which ſhall be expreſſed the number of acres of land, the number of ſlaves of each de- ption within this act, the weight of plate, the number of horſes and black cattle, and the value each of the ſaid ſpecies or kind of property, and all the other property, and the value thereof, each diſtrict, and the whole value in each diſtrict extended, and the amount of each column, and ll lay the ſame before the commiſſioners, who, after correction thereof, if neceſſary, ſhall ſign and loſe the ſame, endorſed for the public ſervice, to the clerk of the houſe of delegates, and ſhall, hin five days thereafter, under the penalty of fifty pounds on each commiſſioner, deliver the ſame he ſheriff of their county, to be by him forwarded as public letters, and under the like penalty; the clerk of the houſe of delegates ſhall enter the ſaid ſummary account in a book to be provided that purpoſe, and keep the original in his office, and on the ſecond day of the next meeting of general aſſembly he ſhall lay the ſame before the houſe of delegates, for the inſpection of the bers. Clerk to make out a liſt, &c.

XXXIV. AND BE IT ENACTED, That the collector of each county, at the time of the ſettlement his account, ſhall pay to every commiſſioner ten ſhillings for each day he ſhall neceſſarily attend, ſhall alſo pay to the ſaid commiſſioners, for the uſe of their clerk, a ſum not exceeding eighty rs, for his ſervice under this act; and the amount of all the ſums ſo paid ſhall, by the ſaid commiſſioners, Collector to pay commiſſioners, &c.

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commiſſioners, be allowed to the ſaid collector on the ſettlement of his account, in which acco ſhall be expreſſed the name of the clerk, and the ſum of money to him allowed; and the ſaid com ſioners ſhall, after the receipt of the ſaid ſum for the uſe of their clerk, pay the ſame to him or order, on demand, under the penalty of fifty pounds current money to the party grieved.

Single men to be aſſeſſed, &c.

XXXV. AND, whereas it is juſt that all perſons who have ability ſhould contribute in ſome de towards the expences of government, BE IT ENACTED, That all free able bodied ſingle male i bitants of this ſtate, who are above the age of twenty-one years and under fifty, and are not liabl be rated the ſum of one hundred pounds current money, ſhall be rated the ſum of fifteen ſhill current money, in lieu of all other taxes, and the ſame ſhall be collected by the collectors in ſeveral counties in manner above mentioned, or by execution of the body or goods of the pe making default; and it ſhall be lawful for every conſtable, and he is hereby directed, on taking name of any ſuch free male inhabitant, being a ſingle man, to require him to give ſecurity for ment of the ſaid fifteen ſhillings, and in caſe of refuſal or delay, ſuch conſtable ſhall carry him fore ſome juſtice of the county, who, on refuſal or delay to give ſecurity, ſhall commit the pe to the gaol of the county, there to remain till payment or ſecurity given therefor, and every co tor and deputy-collector is inveſted with the ſame power; and if any ſuch perſon ſhall remove ou the county, it is declared to be the duty of any conſtable, collector, deputy-collector or commiſſio acquainted therewith, to give information thereof to the collector or deputy-collector, or ſome of the commiſſioners, of the county where ſuch perſon ſhall be, and any of them, on ſuch not ſhall inquire after and may arreſt ſuch perſon, and carry him before ſome juſtice, who ſhall com him to the gaol of his county, there to remain till payment of thirty ſhillings current money and coſts of impriſonment.

What perſons are paupers.

XXXVI. AND, to aſcertain what perſons ſhall be deemed paupers, and not liable to pay any aſſ ment for the ſupport of government, BE IT ENACTED AND DECLARED, That all perſons (not inclu in the above deſcription,) whoſe property ſhall not be valued above ten pounds current money, ſ be and are hereby declared paupers, and ſhall not be chargeable with any tax to the ſupport of vernment.

Collector's fees.

XXXVII. AND BE IT ENACTED, That if any collector ſhall be obliged to enforce the collection the aſſeſſment by diſtreſs and ſale, or by execution of the perſon, he ſhall receive the ſame fees the ſheriff is entitled to by law for the like ſervice, payable in current money.

Debtors may deduct, &c.

XXXVIII. AND BE IT ENACTED, That from all intereſt of money or tobacco which ſhall beco due between the firſt day of January, ſeventeen hundred and eighty-four, and the firſt day of Janua ſeventeen hundred and eighty-five, if paid at the time it becomes due, or within one month the after, the debtor may deduct one twelfth part of the ſaid intereſt, any agreement to the contr notwithſtanding, and any contract hereafter made to the contrary ſhall be void in law; and if a creditor ſhall refuſe to allow ſuch deduction, he ſhall forfeit treble the ſum of money or quantity tobacco by him ſo refuſed to be deducted, to the uſe of ſuch debtor, and ſuch debtor may reco the forfeiture on warrant before a juſtice of the peace, if the ſum does not exceed his juriſdict and if it does, by action at law, as for money or tobacco received to his uſe.

Commiſſioners, &c. to take the oaths, &c.

XXXIX. AND BE IT ENACTED, That if any perſon appointed a commiſſioner, or to any of in virtue of this act, hath not heretofore taken the oaths, (or if a quaker, menoniſt or tunker, t affirmations,) of fidelity and ſupport to this ſtate, ſuch perſon ſhall, before he acts as ſuch, take t oaths directed by this act, ſubſcribe a declaration of his belief in the chriſtian religion, and ta the oath (or if a quaker, menoniſt or tunker, the affirmation,) of fidelity to this ſtate, directed the conſtitution, and the oath or affirmation preſcribed by the act to puniſh certain crimes and miſ meanors, and to prevent the growth of toryiſm; which oaths or affirmations any one of the ſaid co miſſioners, or any juſtice of the peace, may adminiſter.

Duties may be performed, &c.

XL. AND BE IT ENACTED, That if any of the days appointed by this act for the performan of any of the duties hereby required ſhall happen to be a Sunday, then ſuch duties ſhall be perform on the day following.

Suits, when to be commenced, &c.

XLI. AND BE IT ENACTED, That if any ſuit ſhall be brought againſt any perſon for any thi done in purſuance of this act, the ſuit ſhall be commenced within ſix months after the fact committe and the defendant in any ſuit may plead the general iſſue, and give this act and the ſpecial matter evidence, and that the ſame was done in purſuance and by authority of this act, and if it ſhall a pe

…r ſo to be done, or if any ſuch ſuit ſhall be brought after the time limitted, then the jury ſhall …d for the defendant, and if the plaintiff ſhall become nonſuit, or ſuffer a diſcontinuance, or if a …dict ſhall paſs, or upon demurrer judgment ſhall be given, againſt him, the defendant ſhall recover …ble coſts, and have ſuch remedy for the ſame as any defendant hath for coſts of ſuit in other caſes …law.

Holders may diſcount, &c.

XLII. AND BE IT ENACTED, That the holder of any certificate for money borrowed by the …blic, or for allowances on the journal to public creditors, under the faith of the legiſlature of this …e that the ſame, or the intereſt thereof, ſhould be diſcounted for taxes, may, if he requeſts the …e, have his tax impoſed by this act diſcounted according to the engagement of the public, rating …e money due for principal or intereſt diſcounted according to the value of the money when the …tificate was given, ſuch value to be aſcertained by the ſcale of depreciation ſettled by the act …adjuſt the debts due from this ſtate; and the holder of any certificate for grain, flour or other pro…ſions, purchaſed or taken, or for veſſels or carriages hired or impreſſed, or houſes rented, under …r act of aſſembly of this ſtate, promiſing that the value or price ſhould be diſcounted in payment of …blic taxes, may produce his certificate to the commiſſioners of the tax for his county, and the …mmiſſioners are to adjudge and endorſe on the certificate the value of the freight, hire or rent …reſaid, or the market price in their county of the grain, flour or other proviſions, mentioned …erein, in current money, at the time the ſame was delivered or taken, and the holder of ſuch cer…ate may have a diſcount of his tax impoſed by this act, not exceeding the ſum due thereon, ac…ding to the value aſcertained by the endorſement, and the collector ſhall endorſe ſuch diſcount, …d the date when made, on ſuch certificate, and ſhall thereto ſubſcribe his name.

Collectors to declare on oath, &c.

XLIII. AND BE IT ENACTED, That no collector ſhall have any allowance for any certificate, …bank note, unleſs he will declare on oath, (to be adminiſtered by either of the treaſurers,) that …e ſaid certificate or bank note was honeſtly and *bonâ fide* received or diſcounted in payment of …aſſeſſment due on the property in his county; and any collector ſwearing falſely in the premiſes …ll be liable to the ſame proſecution and puniſhment as in other caſes of wilful and corrupt perjury, …d ſhall incur all the diſabilities attending ſuch infamous crime.

And deliver an account, &c.

XLIV. AND BE IT ENACTED, That the collector of the tax ſhall deliver to each perſon chargeable …th property in their reſpective counties a copy of the amount of their property, with the rate …reon, on or before the firſt day of October next, under the penalty of twenty pounds current money.

Part of an act continued, &c.

XLV. AND BE IT ENACTED, That all that part of an act of aſſembly, entitled, (a) An act for the …ence of the bay, and to impoſe certain duties on imported articles, which relates to the laying, …oſing and collecting duties on any goods, wares or merchandiſes, imported, whether enumerated …aid act or not enumerated, be and is hereby continued, and ſhall remain in full force for and …ing one year, unleſs the duty of five *per cent.* ſhall be granted to congreſs by the ſeveral ſtates, …d ſhall ſooner take place.

(a) November, 1782, ch. 26.

Intereſt to be paid, &c.

XLVI. WHEREAS the general aſſembly did engage to make proviſion for the punctual payment of …tereſt on the debts due from the public, BE IT ENACTED, That ſo much of the money collected in …tue of this act as may be neceſſary, ſhall be firſt applied, and is hereby appropriated and ſet apart, …the payment of one year's intereſt on ſuch certificates as have been or ſhall be adjuſted agreeable …the act relating to public creditors; and the general aſſembly will provide for the conſtant and …ctual payment of the annual intereſt, until the principal ſhall be diſcharged.

Coin, &c. to be remitted, &c.

XLVII. AND BE IT ENACTED, That the coin received in virtue of this act, or continental bank …es, if to be procured, (not exceeding one half of the whole aſſeſſment,) be remitted to the con…ental treaſury for the payment of the army, and that the reſidue be appropriated to diſcharge the …il liſt, and in ſuch other manner as the general aſſembly ſhall direct.

Copies to be printed, &c.

XLVIII. AND BE IT ENACTED, That Mr. Frederick Green, printer, according to his agreement …th the houſe of delegates, ſhall print, and ſtitch in blue paper covers, five hundred copies of …s act, and make up into eighteen parcels of twenty-ſeven copies each, directed to the commiſſioners …ed in this act for the ſeveral counties; and each commiſſioner ſhall keep one of the ſaid copies …his own uſe, and the others ſhall, by the ſaid commiſſioners, be diſtributed to the delegates and …ices of the peace in their reſpective counties; which parcels the ſaid printer ſhall endorſe for the …blic ſervice, and deliver to the ſheriff of Anne-Arundel county, on or before the tenth day of January,

CHAP. XVII.

January, ſeventeen hundred and eighty-four, under the penalty of twenty pounds, and the ſeve ſheriffs are hereby required to forward them in the ſame manner as public letters; and the prin ſhall deliver the reſidue of ſuch copies to the clerks of the ſenate and houſe of delegates.

CHAP. XVIII.

Paſſed 26th of Dec. 1783.

An ACT for the relief of the chriſtian ſociety of people call Nicolites, or New Quakers. Lib. TBH. No. A. fol. 355.

Preamble.

WHEREAS the ſociety of people called Nicolites, or New Quakers, have, by their hum petition to this general aſſembly, ſet forth, that they labour under many great and griev inconveniencies, owing to their conſcientious ſcruples relative to the taking oaths in the uſual fo and not being admitted to declare the truth of their knowledge by ſolemn affirmation: And whe it is declared in the thirty-ſixth ſection of the declaration of rights, that the manner of adminiſ ing an oath to any perſon ought to be ſuch as thoſe of the religious perſuaſion, profeſſion or deno nation, of which ſuch perſon is one, generally eſteem the moſt effectual confirmation by the atte tion of the Divine Being; therefore,

Society to enjoy rights, &c.

II. BE IT ENACTED, *by the General Aſſembly of Maryland*, That the ſociety of people called Nicoli or New Quakers, ſhall be and they are hereby entitled to, and ſhall have and enjoy, all the rig privileges, immunities and franchiſes, that the people called Quakers are in any manner entitle enjoy, under the declaration of rights, form of government, or any law or laws in force within ſtate, any law, cuſtom or uſage, to the contrary notwithſtanding.

CHAP. XIX.

* 1774, ch. 19.

An additional ſupplement to an act, entitled, * An act to unite free-ſchools of Saint-Mary's, Charles and Prince-George's cou ties. Lib. TBH. No. A. fol. 355.

Preamble.

WHEREAS it is repreſented to the general aſſembly, that the truſtees for Charlotte- ſchool have purchaſed lands for the ſaid ſchool, but have by experience found it extre difficult to procure a ſufficient number of truſtees to meet for tranſacting the buſineſs of the ſchool.

Five truſtees may act.

II. BE IT ENACTED, *by the General Aſſembly of Maryland*, That any five or more of the ſaid truſ with or without the preſident, ſhall be and are hereby empowered to meet at the ſaid ſchool time to time, and they or the major part of them ſo met, may do any act, matter or thing, w the ſaid preſident and truſtees might do, any law to the contrary notwithſtanding.

CHAP. XX.

An ACT to prevent the raiſing of ſwine and geeſe in the town of Vienna, in Dorcheſter cou Lib. TBH. No. A. fol. 355.

CHAP. XXI.

An ACT to empower Eleanor Lyon, Henry Lyon and William Canter, junior, to ſell the eſtate therein mentioned of Joſeph Lyon, deceaſed. Lib. TBH. No. A. fol. 356. A Pri Act.

CHAP. XXII.

An ACT to enable the commiſſioners of Baltimore-town to o and widen Hanover-lane in the ſaid town. Lib. TBH. No. fol. 356.

A Supplement 1784, ch. 46.

Preamble.

WHEREAS a number of the inhabitants of Baltimore-town, by their petition to this ge aſſembly have ſet forth, that great inconveniencies ariſe to the town of Baltimore, an inhabitants thereof, from the narrowneſs of Hanover-lane, leading from Market-ſtreet to Han ſtreet, and that great advantages would be derived to the public and the proprietors of the adj lots, provided the commiſſioners of the ſaid town were empowered to open and widen the ſame; the ſaid petitioners did further ſet forth and propoſe, that the ſaid commiſſioners might be empo ed to aſcertain the damage ſuſtained by each individual by having the ſaid lane widened, and damage, agreeable to their valuation, to be paid by the perſons benefited by the ſame, in propo

their intereſt in the adjacent lots, and the advantage derived from opening the ſaid lane; and it CHAP. XXII.
earing reaſonable to this general aſſembly that the prayer of the ſaid petition ſhould be granted,

II. BE IT ENACTED, *by the General Aſſembly of Maryland*, That the commiſſioners of Baltimore- Commiſſioners to open Hanover-lane, &c.
n, or a majority of them, be authoriſed and empowered to open and amend Hanover-lane, and
e it of the ſame width as Hanover-ſtreet, and the ſaid lane, when ſo altered and widened, ac-
ding to the direction of this act, ſhall be and is hereby declared to be a public highway and ſtreet;
the ſaid commiſſioners are alſo directed to return a plot, aſcertaining the extent and limits of
ſaid lane when altered and widened, to the clerk of the county court of Baltimore, and have
ſame lodged in the ſaid court, as part of the plot of Baltimore-town.

III. AND BE IT ENACTED, That the ſaid commiſſioners, or a major part of them, are hereby au- To aſcertain damage, &c.
riſed and required, having firſt given ten days notice of the time and intention of their meeting,
ſetting up advertiſements at the moſt public places in Baltimore-town, to take into conſideration,
to aſcertain, the damage which any perſon or perſons ſhall ſuſtain by having the aforeſaid lane
ened and amended, and the amount of the ſaid damages, ſo aſcertained, to be returned under
r hands and ſeals, together with the ſaid plot, to the clerk of Baltimore county court.

IV. AND BE IT FURTHER ENACTED, That the ſaid commiſſioners, or a major part of them, on a To aſſeſs individuals, &c.
inquiry into all circumſtances at the time and place aforeſaid, ſhall aſſeſs and aſcertain what ſum
ſums of money each individual intereſted and benefited by opening the ſaid lane ſhall contribute
ards reimburſing and compenſating thoſe who ſhall be injured by opening the ſaid lane, and the
es of all the perſons, together with the ſums of money each ſhall be obliged to pay, ſhall be re-
ed in manner aforeſaid, to the clerk's office aforeſaid, and in caſe of neglect or refuſal of the
perſons, or their heirs, executors or adminiſtrators, to pay and ſatisfy the reſpective ſums of
ey by them to be paid and ſatisfied, at the time limitted for payment of the ſame, it ſhall and
be lawful for the ſaid commiſſioners in their own name, as a body politic, for the uſe of the
ons to whom the ſame is to be paid, to ſue for and recover the ſame, by action or actions, in
h it ſhall be ſufficient to declare for ſo much money had and received by the defendant or de-
ants, and this act ſhall be ſufficient evidence in a court of law to enforce the payment of the
e.

By 1784, ch. 46, the commiſſioners may, if they think proper, ſummon a jury to aſcertain the damages, and the parts of
is act inconſiſtent with that ſupplement are repealed. See the act of 1796, ch. 68, by which the powers given by this and
her acts are transferred to the corporation of the city of Baltimore.

CHAP. XXIII.

An ACT for making the river Suſquehanna navigable from the line of this ſtate to tide water. Lib. TBH. No. A. fol. 357.

Paſſed 26th of Dec. 1783.

Supplementary and other acts 1784, ch. 66, 1790, ch. 36, 1795, ch. 63, 1797, ch. 99.

WHEREAS Samuel Hughes, William Auguſtine Waſhington, Clement Hollyday, Nathaniel Preamble.
Ramſey, William Smith, William Goodwin, Samuel Smith, Archibald M'Caliſter, Robert
ard, Thomas Ruſſell, Daniel Bowley, William Neill, Charles Ridgely, John Eager Howard,
uel and Robert Purviance, George Leggett, Robert Young Stokes, Benedict Edward Hall, Wil-
Smith, Aquila Hall, John Churchman, Daniel Durbin, James White Hall, Francis Holland,
riel Chriſtie, Ridley and Pringle, Thomas Peters, Richard Ridgely, John Davidſon, Wallace,
ſon and Muir, Joſias Carvil Hall, Richard Potts, Daniel Hughes, Jeremiah Townley Chaſe,
Rogers, Charles Carroll, of Carrollton, Edward Lloyd, James Murray, Otho Holland Wil-
s and Henry Lee, junior, actuated by very laudable motives, have undertaken to render the
r Suſquehanna navigable from the line of this ſtate to tide water, and have ſubſcribed the ſum of
teen thouſand five hundred pounds current money of Maryland, and obliged themſelves to raiſe
ubſcription the further ſum of one thouſand five hundred pounds current money aforeſaid, to be
ied to that purpoſe; and this general aſſembly being ſtrongly impreſſed with the general utility of
ſaid undertaking, and the beneficial conſequences that will be derived from the accompliſhment
eof to the inhabitants of this ſtate, by extending the trade thereof; and being willing to give
ſaid undertakers every proper encouragement and ſupport;

I. BE IT ENACTED, *by the General Aſſembly of Maryland*, That the ſaid Samuel Hughes, William Perſons incorporated, &c.
uſtine Waſhington, Clement Hollyday, Nathaniel Ramſay, William Smith, William Goodwin,
uel Smith, Archibald M'Caliſter, Robert Ballard, Thomas Ruſſell, Daniel Bowley, William
Charles Ridgely, John Eager Howard, Samuel and Robert Purviance, George Leggett, Ro-

CHAP. XXIII.

bert Young Stokes, Benedict Edward Hall, William Smith, Aquila Hall, John Churchman, Da Durbin, James White Hall, Francis Holland, Gabriel Chriſtie, Ridley and Pringle, Thomas Pe Richard Ridgely, John Davidſon, Wallace, Johnſon and Muir, Joſias Carvil Hall, Richard P Daniel Hughes, Jeremiah Townley Chaſe, John Rogers, Charles Carroll, of Carrollton, Ed Lloyd, James Murray, Otho Holland Williams and Henry Lee, junior, be and they are hereb corporated and made a body politic, for the purpoſes herein after declared; and the ſaid body po ſhall be known and diſtinguiſhed by the appellation of The Proprietors of the Suſquehanna Ca and the ſaid incorporate body ſhall be able and capable to ſue and be ſued, in and by the nam The Proprietors of the Suſquehanna Canal, and ſhall have full and ample power and authorit do, perform and execute, all and every matter and thing which any corporation may, or right can do, and ſhall have ſucceſſion for ever, and to that end, and for perpetuating the ſaid incorpo body, the heirs, deviſees, legal repreſentatives, and the aſſignees of the individual members the *ad infinitum*, ſhall be and are hereby declared to be members.

To elect a governor, &c.

III. BE IT ENACTED, That the ſaid corporation ſhall meet on the third Tueſday in February the year of our Lord one thouſand ſeven hundred and eighty-four, at Havre-de-Grace, and w and as often thereafter as the ſaid corporation may adjudge convenient and neceſſary; and the corporation, or a majority of them, when they firſt aſſemble, ſhall elect out of the members of ſaid corporation, a governor and three directors, a treaſurer and ſecretary, for the year.

May cut a canal, &c.

IV. BE IT ENACTED, That it ſhall and may be lawful for the ſaid corporation, or a majorit them, to cut and take out a canal at Love Iſland, and continue the ſame to tide water in Suſque na river, and make the ſaid canal not leſs than thirty feet wide, and three feet deep, with a ſuffi number of locks, large enough to admit of a paſſage for boats of eighty feet keel, and twelve beam, and that the ſaid canal, when completed, ſhall be kept in good repair by the ſaid corpora for the uſe of the public.

To expend money, &c.

V. BE IT ENACTED, That the ſaid corporation ſhall expend the ſum of twenty thouſand po current money of Maryland in cutting, making and completing, the ſaid canal, with a ſuffi number of locks, in manner aforeſaid, and that the ſaid ſum ſhall be divided into twenty ſhares and raiſed by ſubſcription, but no perſon ſhall be allowed to ſubſcribe more than one ſhare, no than one fifth of a ſhare.

(a) By 1790, ch. 36, the number of ſhares may be increaſed to thirty, and foreigners may hold ſhares in the ſame man citizens. By 1797, ch. 99, an ordinance paſſed by the corporation for ten additional ſhares, is confirmed.

To purchaſe land, &c.

VI. AND, whereas it is neceſſary for the making the ſaid canal, and erecting griſt mills and waterworks thereon, that a proviſion ſhould be made for condemning a quantity of land, not exc ing two hundred acres, BE IT ENACTED, That it ſhall and may be lawful for the ſaid corpora or a majority of them, to agree with the owners of the lands through which the ſaid canal may and the owners of the lands adjoining thereto, for the purchaſe thereof; and in caſe it ſhou happen, that the corporation and owners of the ſaid land, or any of them, could not agree o value of the ſame, that then it ſhall be lawful for the ſaid corporation to apply to any two o juſtices of the peace for the county of Cæcil, to cauſe the ſheriff of ſaid county to ſummon a ju twelve honeſt and lawful men of his county, to meet on the land to be valued; and the ſaid juſtice hereby empowered and required, on ſuch application being made to them as aforeſaid, to iſſue warrant, under their hands and ſeals, directed to the ſheriff of their county, requiring and comma him to ſummon twelve honeſt and lawful men of his bailiwick, who ſhall ſtand indifferent betwee ſaid parties, to meet on the land to be valued, deſcribing the ſame in their warrant; and the ſheriff, upon recovering the ſaid warrant, ſhall immediately comply therewith; and the jury, met together on the land, ſhall take the following oath, or affirmation, to be adminiſtered by the ſheriff to each of them ſeparately, to wit: "You —— —— do ſwear, or ſolemnly affirm, tha "will make a juſt, true and honeſt valuation of this land, and of all damages that ſhall be ſuſt "by the proprietors of the land through which the aforeſaid canal ſhall paſs by means of ſaid c "(mentioning the ſame as deſcribed in the warrant,) according to the beſt of your ſkill and j "ment;" and the ſaid jury ſhall then proceed to inquire into and aſcertain the value of the ſaid and damages, as aforeſaid, and the inquiſition ſo made and taken ſhall be ſigned by the ſheriff the jury, and returned by the ſheriff to the clerk of Cæcil county court, and be by him filed a corded among the records of ſaid court; and the valuation ſo made by the jury ſhall be bindin concluſive on all parties, and ſhall be paid by the ſaid corporation to the owner of the land, legal repreſentative, as a full recompence therefor; and the ſaid corporation, on payment of th money, ſhall have as good, ſure and indefeaſible title in fee-ſimple to ſaid land, as if the ſam

n conveyed by the owner to the ſaid corporation, and their ſucceſſors, by fine, feoffment, deed of gain and ſale, or any other mode of conveyance.

VII. PROVIDED ALWAYS, AND BE IT ENACTED AND DECLARED, That not more than two hundred Proviſo.
s of land, in the whole, ſhall be condemned for the purpoſes aforeſaid.

VIII. AND, whereas the ſaid corporation incur a very great expence, and run a great riſk of ſink- their ſubſcription money in caſe the ſaid ſcheme ſhould fail, BE IT THEREFORE ENACTED, That Corporation to have an exclu- ſaid corporation, after they have completed the ſaid canal, ſhall have an excluſive right thereto, ſive right, &c. full power of erecting griſt mills, and other waterworks thereon, and no other canal ſhall be or the water drawn off between the line of Pennſylvania and tide water, to the injury of the gation of the ſaid canal, or the waterworks aforeſaid erected thereon, and that the ſaid corpo- n ſhall have full power and authority to uſe the waters of the ſaid river for the purpoſe of ſup- ng the ſaid canal, and the waterworks aforeſaid erected thereon, with water.

X. AND BE IT ENACTED, That the ſaid corporation ſhall have a power over the waters of the Their power, river, for the purpoſes of ſupplying their ſaid canal, and the waterworks aforeſaid erected &c. eon, with water, and to exclude others from cutting any other canal or canals, to the injury of ſaid canal, but ſhall have no right to the waters of the ſaid river for any other purpoſe or pur- whatſoever; provided always, that the ſaid corporation, whenever any public road croſſes the , ſhall and are hereby required, either to erect a ſufficient bridge acroſs the ſaid canal, or to keep per boat or boats for the purpoſe of conveying paſſengers acroſs the ſame, under the penalty of pounds current money for every neglect or refuſal; and that the ſaid corporation ſhall have power uthority to make ſuch by-laws, rules and ordinances, as may appear to them moſt conducive to end propoſed by this act, and moſt proper for regulating the navigation of the ſaid canal; *the ſaid corporation ſhall have full and ample powers and authority to impoſe and ſet ſuch tolls and duties l boats, other veſſels and rafts, which may paſs up or down the ſaid canal, not exceeding the ſum of one g current money per tun, carpenters meaſure, and ſhall and may make ſuch by-laws and ordinances to com- e payment of the ſaid tolls and duties, ſo ſet and impoſed, as the ſaid corporation may think right and moſt al, and the ſaid tolls and duties ſhall become a perpetual revenue for the ſole and excluſive benefit of the rporation, and their ſucceſſors, for ever.*

he part of this ſection printed in italic is repealed by 1784, ch. 66, ſection 4, and by ſection 2, of that act, other tolls are n.

AND, whereas the ſaid proprietors of the Suſquehanna canal have engaged to raiſe and pay to reaſurer of the ſaid corporation the ſums of money by them reſpectively ſubſcribed, at the times n the proportions following, to wit: One fifth part on the firſt day of April, one thouſand ſeven ed and eighty-four, one fifth on the firſt day of July, one fifth on the firſt day of October, one on the firſt day of January, and the remaining fifth on the firſt day of April, one thouſand ſeven ed and eighty-five; and it being abſolutely neceſſary the ſaid engagements ſhould be punctually ied with, and that ſome ſummary mode of proceeding ſhould be adopted to enforce payment in of default, BE IT ENACTED, That it ſhall and may be lawful for the ſaid corporation, in caſe May ſue for f the ſaid proprietors ſhall neglect to make the payments on the days ſtipulated and herein before ſubſcription money, &c. oned, to write to the clerk of the court of that county in which the ſaid defaulter ſhall reſide, der the ſaid clerk to iſſue an attachment, *fieri facias*, or *capias ad ſatisfaciendum*, againſt the ſaid making default, for the ſum of money by him due and unpaid; and the execution ſo iſſued e made returnable to the court which ſhall firſt ſit after the iſſuing thereof, and ſhall be as valid fectual in law, to all intents and purpoſes, as if the ſame had iſſued on a judgment regularly ed, according to the common and ordinary courſe of proceeding in a court of law.

BE IT ENACTED, That the ſecretary, immediately after his appointment, or as ſoon thereaf- Secretary to conveniently may be, ſhall give bond, in the penalty of five hundred pounds current money give bond, &c. id, with ſufficient ſecurity, for the faithful execution of the truſt repoſed in him, and ſhall at- he meetings of the ſaid corporation, and of the governor and directors, and take the following efore ſome juſtice of the peace, that he will well and faithfully execute the office of ſecretary corporation of the proprietors of the Suſquehanna canal, and to the governor and directors , and keep a fair record of all their proceedings, which he ſhall lay before the corporation at eeting, with an account of all expenditures; and that the treaſurer ſhall give bond, in the y of four thouſand pounds current money, to diſcharge the truſt committed to him by the ſaid ation.

CHAP. XXIII.

Corporation to meet, &c.

XII. BE IT ENACTED, That the ſaid corporation ſhall meet once in every three months for the year, and oftener if it ſhall be neceſſary, at all which meetings the governor for the time being ſ preſide; and all laws and regulations ſhall be determined by a majority of votes; and the holde holders of each ſhare ſhall have only one vote, which may be given by proxy, authoriſed by writ ſigned and ſealed by the holder or holders of ſuch ſhare, and lodged with the ſecretary previou the receiving the vote.

Future ſubſcribers to become members, &c.

XIII. BE IT ENACTED, That the perſons who ſhall hereafter become ſubſcribers to make up ſum of twenty thouſand pounds current money as aforeſaid, ſhall become members of the ſaid poration, and ſhall be entitled to the ſame rights and privileges as if they had originally ſubſcri and had been named in this act.

In what caſes ſhares are forfeited, &c.

XIV. BE IT ENACTED, That where there ſhall not appear property for the payment of the ſt lated quota of any ſubſcriber in the county within the ſtate where the party reſides, that then in that caſe the party ſhall forfeit his ſhare, or part of a ſhare, in the ſaid company, if he negl payment one month after it becomes due; and in caſe the ſubſcriber, or his aſſignee, ſhall reſide of this ſtate, he ſhall forfeit his whole ſhare, either on ſubſcription or aſſignment, and every ri title and authority, derived under this act, if he ſhall neglect or refuſe to pay to the governor director of the company, ſuch ſhare ſo due as aforeſaid.

When canal is to be begun, &c.

XV. BE IT ENACTED, That the perſons incorporated by this act ſhall begin the canal at or Love Iſland, on or before the firſt day of October next, and carry on the ſame with diligence ti reaches tide water, and fully complete the canal, according to the directions of this act, within ſe years, and on failure or neglect to perform the ſame within the time aforeſaid, this act to be void, and of no effect.

By 1790, ch. 36, further time is allowed till the 1ſt of October, 1798, and by 1797, ch. 99, till 1ſt December, 1805.

Owners of land may become ſubſcribers, &c.

XVI. BE IT ENACTED, That the owners of lands through which the canal may paſs ſhall full liberty to become ſubſcribers for making the ſaid canal, at any time before the firſt day of next, provided ſuch application be made before the ſubſcriptions be filled up and completed.

CHAP. XXIV.

Paſſed 26th of Dec. 1783.

An ACT reſpecting theatrical entertainments. Lib. TBH. No. A. fol. 361.

To continue one year, &c. Expired.

CHAP. XXV.

An ACT reſpecting the tunnage of veſſels. Lib. TBH. No. A. fol. 362.

CHAP. XXVI.

An ACT for the relief of ſundry inſolvent debtors confined in gaols in this ſtate. Lib. TBH. A. fol. 363.

CHAP. XXVII.

An ACT for an addition to George-town, in Montgomery coun

Lib. TBH. No. A. fol. 363.

Preamble.

WHEREAS Thomas Beall, ſon of George, of Montgomery county, by his humble petitio this general aſſembly hath ſet forth, that he is ſeized and poſſeſſed of part of a tract of l called and known by the name of The Rock of Dumbarton, adjoining George-town, containing fi one acres, which he is deſirous of annexing to ſaid town, and therefore prayed that a law might for that purpoſe; and it appearing to this general aſſembly, that to extend and enlarge the limi ſaid town will greatly contribute to promote the trade and commerce thereof;

Land to be ſurveyed, &c.

II. BE IT ENACTED, *by the General Aſſembly of Maryland*, That Meſſieurs John Murdock, Ric Thompſon, William Deakins, Thomas Richardſon and Charles Beatty, be commiſſioners of Geo town, or the major part of them be authoriſed and required, at any time before the firſt day of guſt next, to cauſe the aforeſaid parcel of land, or ſuch part thereof as they may think neceſſary be ſurveyed and laid out into lots, ſtreets, lanes and alleys, at the proper coſt and expence of the Thomas Beall, in ſuch manner as to the ſaid commiſſioners, or a major part of them, ſhall ap convenient.

A plot to be made, &c.

III. AND BE IT ENACTED, That the commiſſioners aforeſaid, or a major part of them, ſhall, o before the ſaid firſt day of Auguſt next, cauſe a correct and accurate ſurvey and plot to be ma

he ſaid land, and of all the lots, ſtreets, lanes and alleys, which ſhall be laid out in virtue of this act; and the ſaid plot ſhall be recorded amongſt the records of the ſaid county, as ſoon as conveniently may be thereafter, there to remain as evidence of the boundaries, ſituation and location of the ſaid lots, and of the ſtreets, lanes and alleys; which ſaid ſtreets, lanes and alleys, hereafter to be laid out in purſuance of this act, ſhall be highways, and be ſo deemed and taken to all intents and purpoſes whatſoever; and when the ſame ſhall be done, the ſaid land, ſo ſurveyed and laid out, ſhall be, and is hereby declared to be, part of George-town, as fully and amply, as if originally included therein, and ſhall have the ſame immunities and privileges as the reſt of the ſaid town hath, or by former laws ought to have; ſaving to the ſtate of Maryland, and all bodies politic and corporate, and all perſons not mentioned in this act, their ſeveral and reſpective rights.

CHAP. XXVIII.

An ACT for the relief of the ſecurities of Thomas Williams, late collector of the public taxes for Prince-George's county. Lib. TBH. No. A. fol. 364.

Paſſed 26th of Dec. 1783.

Preamble.

WHEREAS it hath been repreſented to this general aſſembly, by the memorial of Thomas Harwood, the third, John Smith Brookes, Rinaldo Johnſon, Eliſha Berry, Richard Smith and John Waring, of Prince-George's county, that they, the ſaid Richard Smith and John Waring, in the year ſeventeen hundred and eighty, the ſaid Thomas Harwood and John Smith Brookes in the year ſeventeen hundred and eighty-one, and the ſaid Rinaldo Johnſon and Eliſha Berry in the year ſeventeen hundred and eighty-two, became ſecurities for Thomas Williams, collector of the tax for Prince-George's county in the ſaid years; and that upon examining the treaſury books the ſaid ſecurities find, that the ſaid Thomas Williams is conſiderably in arrear, and hath ſhewn no diſpoſition to complete his collection thereof, and that notwithſtanding the lenity of the legiſlature, the ſaid ſecurities conceive themſelves in danger of being greatly injured, by the negligence and inattention of the ſaid Thomas Williams; therefore the ſaid ſecurities prayed, that the collection of the reſidue of the taxes for the years aforeſaid be taken from the ſaid Thomas Williams, and placed in the hands of the ſaid ſecurities, or ſome perſon or perſons to be appointed by the legiſlature, to complete the ſame; and that the perſon or perſons ſo appointed might be veſted with as full and ample powers of execution as the ſaid Thomas Williams had, or might have had, while collector of Prince-George's county; and that the perſon or perſons ſo appointed might be authoriſed to call on the ſaid Thomas Williams, and all deputies by him appointed or concerned in the collections aforeſaid, for a ſettlement of and upon their books and accounts with the inhabitants of Prince-George's county, relative to the tranſactions aforeſaid; and that the ſaid Thomas Williams might be compelled to deliver up to his ſecurities aforeſaid, or the perſon or perſons ſo appointed, all ſuch books, accounts, papers and vouchers, that his ſaid ſecurities might require, or might be neceſſary, or the ſaid Thomas Williams and his deputies might be poſſeſſed of, to enable them to make ſuch final collection and ſettlement, and that a reaſonable time might be given to the ſaid ſecurities for that purpoſe; and it appearing to this general aſſembly that the prayer of the ſaid memorialiſts is highly reaſonable, and that the public intereſt requires that an act ſhould paſs for the purpoſes aforeſaid;

Collectors appointed, &c.

II. BE IT ENACTED, *by the General Aſſembly of Maryland*, That Thomas Harwood, the third, John Smith Brookes, Rinaldo Johnſon, Eliſha Berry, Richard Smith and John Waring, be and are hereby appointed collectors of the reſidue of the taxes and public dues for which the ſaid ſecurities are liable, for the years ſeventeen hundred and eighty, ſeventeen hundred and eighty-one and ſeventeen hundred and eighty-two, now remaining due and unſatisfied in the county aforeſaid, in the room of the ſaid Thomas Williams; and the ſaid Thomas Harwood, the third, John Smith Brookes, Rinaldo Johnſon, Eliſha Berry, Richard Smith and John Waring, or a majority of them, are hereby fully authoriſed and empowered to receive and collect, by execution or otherwiſe, all arrears and balances due the ſaid Thomas Williams as collector of the county aforeſaid in the ſaid years, and for which the ſaid ſecurities are liable, in as full and ample manner as the ſaid Thomas Williams might or could have received and collected the ſame, during the time of his being collector of public dues in the county aforeſaid, hereby giving to the ſaid Thomas Harwood, the third, John Smith Brookes, Rinaldo Johnſon, Eliſha Berry, Richard Smith and John Waring, or a majority of them, the whole power and authority which the ſaid Thomas Williams had and poſſeſſed under the laws of this ſtate as collector of the public dues and taxes, and for the purpoſes of receiving and collecting thereof, during the time he was collector of Prince-George's county aforeſaid.

T. Williams to deliver books, &c.

III. AND BE IT FURTHER ENACTED, *by the General Aſſembly of Maryland*, That the ſaid Thomas Williams do and ſhall, upon the requeſt of the ſaid Thomas Harwood, the third, John Smith Brookes, Rinaldo

CHAP. XXVIII.

Rinaldo Johnſon, Eliſha Berry, Richard Smith and John Waring, or a majority of them, deliver the ſaid Thomas Harwood, the third, John Smith Brookes, Rinaldo Johnſon, Eliſha Berry, Richa Smith and John Waring, or a majority of them, all and every the books, accounts, papers, men randums and vouchers, of the ſaid Thomas Williams, which in any manner relate to or concern t ſaid public dues and taxes in the years aforeſaid, or the receipt or collection thereof, under t penalty of fifty thouſand pounds current money; and the ſeveral and reſpective deputies, agents receivers, of the ſaid Thomas Williams, engaged or appointed by him, or acting as ſuch, or in a manner concerned in the receipt or collection of the ſaid public dues and taxes during the ſeve years aforeſaid, or afterwards, under the ſaid Thomas Williams, or by virtue of his authority, in his name, or otherwiſe, do and ſhall, upon the requeſt of, and when called upon by, the ſaid T mas Harwood, the third, John Smith Brookes, Rinaldo Johnſon, Eliſha Berry, Richard Smith a John Waring, or a majority of them, ſhall, upon their reſpective oaths, produce, ſhew, explain and lay before them, all the books, accounts, memorandums, papers and vouchers whatſoever, the ſaid agents, deputies, receivers, or others ſo concerned as aforeſaid, and make and deliver nec ſary copies and extracts thereof, to the ſaid Thomas Harwood, the third, John Smith Brookes, naldo Johnſon, Eliſha Berry, Richard Smith and John Waring, or a majority of them, all accoun claims and demands, relative to the arrearages aforeſaid, and to enable the ſaid Thomas Harwo the third, John Smith Brookes, Rinaldo Johnſon, Eliſha Berry, Richard Smith and John Waring, a majority of them, to make a full and perfect collection of the public dues and taxes ariſing in t ſaid years, and ſtill remaining due and unſatisfied, and for which the ſaid ſecurities are liable, und the penalty of fifty thouſand pounds current money each agent, deputy-collector or receiver, or oth perſon concerned as aforeſaid, who ſhall neglect or refuſe to fulfil and comply with the directions this act, according to the true intent and meaning thereof.

Further time allowed, &c.

IV. AND BE IT ENACTED, That the ſaid ſecurities ſhall be and are hereby allowed a further tim and until the firſt day of Auguſt, ſeventeen hundred and eighty-four, for the purpoſe of making t collections aforeſaid; and that the ſaid Thomas Harwood, the third, John Smith Brookes, Rinal Johnſon, Eliſha Berry, Richard Smith and John Waring, or a majority of them, ſhall have and allowed the ſame commiſſion upon the collection of the reſidue of the ſaid taxes, where the ſa Thomas Williams has not already been allowed commiſſion on the ſettlement of his accounts by t commiſſioners of the tax for Prince-George's county aforeſaid, for the trouble and expence of maki the ſame, to which the ſaid Thomas Williams was or would have been entitled to as collector by t laws of this ſtate, had he made the collection thereof.

Proviſo.

V. PROVIDED ALWAYS, AND BE IT ENACTED, That if the ſaid Thomas Williams ſhall, with twenty days after the paſſing of this act, and after he the ſaid Thomas Williams having receiv notice thereof, give good and ſufficient bond and ſecurity to the ſaid Thomas Harwood, the thi John Smith Brookes, Rinaldo Johnſon, Eliſha Berry, Richard Smith and John Waring, as may approved of by the commiſſioners of the tax for Prince-George's county aforeſaid, to indemnify the againſt the ſecurityſhip aforeſaid, then this law to be void and of no effect.

CHAP. XXIX.

An ACT laying a duty on Britiſh veſſels, and for other purpoſes. Lib. TBH. No. A. fol. 366.

CHAP. XXX.

Paſſed 26th of Dec. 1783.

An ACT to continue the acts of aſſembly therein mentioned. Lib TBH. No. A. fol. 367.

Several acts continued.

BE IT ENACTED, *by the General Aſſembly of Maryland*, That all thoſe parts of an act of aſſembl entitled, An act concerning eſtates tail, and the juriſdiction of the county courts, made at ſeſſion of aſſembly begun and held at the city of Annapolis on Tueſday the fifteenth day of Jun one thouſand ſeven hundred and ſeventy-three, (a) which relate to the juriſdiction of the coun courts, be and they are hereby continued, and ſhall be and remain in full force for and during t term of one year, and to the end of the next ſeſſion of aſſembly which ſhall happen thereafter; th one other act of aſſembly, entitled, An act eſtabliſhing a mode to perpetuate teſtimony, made at ſeſſion of aſſembly begun and held at the city of Annapolis on Thurſday the twenty-ſecond day July, one thouſand ſeven hundred and ſeventy-nine, (b) be and is hereby revived and continued, a ſhall be and remain in full force for and during the term of twenty-one years, and to the end of t next ſeſſion of aſſembly which ſhall happen thereafter; that one other act of aſſembly, entitled, A act for the regulation of the ſtaple of tobacco, made at a ſeſſion of aſſembly begun and held at t city of Annapolis on Monday the twelfth day of June, ſeventeen hundred and eighty, (c) and

(a) June, 1773, ch. 1. (b) July, 1779, ch. 8. (c) June, 1780, ch. 14.

CHAP. XXX.

of aſſembly, entitled, A ſupplement to the act for the regulation of the ſtaple of tobacco, made a ſeſſion of aſſembly begun and held at the city of Annapolis on Tueſday the ſeventeenth day of ober, ſeventeen hundred and eighty, (d) and the fourth ſection of an act of aſſembly, entitled, additional ſupplement to the act for the regulation of the ſtaple of tobacco, made at a ſeſſion of embly begun and held at the city of Annapolis on Thurſday the tenth day of May, ſeventeen ndred and eighty-one, (e) be and they are hereby continued, and ſhall be and remain in full e for and during the term of one year, and until the end of the next ſeſſion of aſſembly which ll happen thereafter; that one other act of aſſembly, entitled, An act to prevent frauds in com-ce, and to direct the duty of naval-officers, made at a ſeſſion of aſſembly begun and held at the y of Annapolis on Monday the twelfth day of June, ſeventeen hundred and eighty, (f) be and is eby continued, and ſhall be and remain in full force for and during the term of three years, and il the end of the next ſeſſion of aſſembly which ſhall happen thereafter; that one other act of aſ-bly, entitled, An act to continue an act, entitled, An act for the regulation of officers fees, and other purpoſes, made at a ſeſſion of aſſembly begun and held at the city of Annapolis on Tueſday ſeventeenth day of October, ſeventeen hundred and eighty, (g) be and is hereby revived and inued, and ſhall be and remain in full force for and during the term of one year; that one other of aſſembly, entitled, An act to declare what foreign gold and ſilver coin ſhall be deemed the rent money of this ſtate, made at a ſeſſion of aſſembly begun and held at the city of Annapolis on nday the fifth day of November, ſeventeen hundred and eighty-one, (h) be and is hereby conti-d, and ſhall be and remain in full force for and during the term of three years, and until the end the next ſeſſion of aſſembly which ſhall happen thereafter.

(d) October, 1780, ch. 39. (e) May, 1781, ch. 16. (f) June, 1780, ch. 16. (g) October, 1780, ch. 23. (h) November, 1781, ch. 16.

CHAP. XXXI.

ACT to ſettle and pay the civil liſt. Lib. TBH. No. A. fol. 368.

CHAP. XXXII.

ACT to empower Elizabeth Margaret Littig, Philip Littig and George Littig, to demiſe the al eſtate therein mentioned. Lib. TBH. No. A. fol. 369. A Private Act. Paſſed 26th of Dec. 1783.

CHAP. XXXIII.

ACT to empower the juſtices of Somerſet county to levy on the inhabitants of the ſaid county, ſum of money ſufficient to erect a bridge over the river Wiccomico, at the town of Saliſbury. ib. TBH. No. A. fol. 370.

CHAP. XXXIV.

additional ſupplement to an act, entitled, (i) An act for the liquidation and payment of debts againſt perſons convicted of treaſon. Lib. TBH. No. A. fol. 370.

(i) April, 1782, ch. 36.

WHEREAS by an act, entitled, An act for the liquidation and payment of debts againſt perſons convicted of treaſon, and the ſupplement thereto, all perſons are authoriſed to carry in to, lodge with, the treaſurer of the weſtern ſhore, their ſeveral claims againſt perſons convicted of ſon, but neither of the above recited acts fix any time for the diſtribution and payment of ſuch ms; therefore, Preamble.

BE IT ENACTED, *by the General Aſſembly of Maryland*, That the treaſurer of the weſtern ſhore nd he is hereby directed, to advertiſe in the Pennſylvania and Maryland Gazettes, and Baltimore nal, eight weeks ſucceſſively, giving notice to all perſons, creditors of the above deſcription of to bring into his office their ſeveral and reſpective claims on or before the firſt day of October otherwiſe they will be precluded of a dividend of ſuch perſon's eſtate, in caſe the ſame ſhall ſufficient to diſcharge all the juſt debts that may come in againſt ſaid eſtate. Treaſurer to give notice, &c.

AND BE IT ENACTED, That the ſaid treaſurer ſhall and he is hereby directed, after the afore-firſt day of October next, to proceed to make diſtribution and payment according to law to thoſe tors who have juſt claims againſt ſaid eſtates. To make diſtribution, &c.

AND, whereas there may be debts due to the aforeſaid perſons convicted of treaſon; there-BE IT ENACTED, That the commiſſioners for the preſervation and ſale of Britiſh property, be they are hereby directed, to take into their poſſeſſion all books, accounts or other papers, belonging Commiſſioners to take into poſſeſſion books, &c.

CHAP. XXXIV. ing to ſuch perſons, and that they be and are hereby authoriſed and directed, to collect, and if ne be, to ſue for and recover, in the name of this ſtate, all ſuch debts, dues and demands, as they ſh diſcover to be due to the perſons aforeſaid, and pay the ſame, after deducting ten *per cent.* commiſ for their trouble and expence, into the treaſury, and that the monies ſo paid in, ſhall be conſide as part of the eſtate of the perſons to whom due, and applied toward diſcharging the claims aga ſuch eſtate reſpectively.

V. AND, whereas there may have been contracts and ſales made by perſons convicted of trea with citizens of this or ſome adjacent ſtate previous to the commiſſion of ſuch crime, and there be no remedy by law for the compelling a compliance with ſuch contracts and ſales, BE IT ENACT

Contracts to be carried into effect, &c. That in all caſes where there has been a contract or ſale of any real or perſonal property, made any of the perſons convicted of treaſon as aforeſaid, which ſaid contract or ſale was made and crea previous to the commiſſion of the crime of treaſon as aforeſaid, that in ſuch caſe it ſhall and may lawful for the commiſſioners aforeſaid to carry all ſuch ſales or contracts into effect, where it ſ appear to them to be juſt and reaſonable, and in caſe of a diſpute between the ſaid commiſſioners the party or parties, to leave the ſame to the chancellor, who, upon hearing the parties, may dec upon the ſame.

CHAP. XXXV.

Paſſed 26th of Dec. 1783. An ACT to empower Iſaac Marſhall, of Somerſet county, ſurviving executor of Aaron Tilghm deceaſed, to ſell certain lands therein deviſed by the ſaid Aaron Tilghman to be ſold for the p ment of his debts and legacies. Lib. TBH. No. A. fol. 371. A Private Act.

CHAP. XXXVI.

An ACT to regulate trade and commerce. Lib. TBH. No. A. fol. 372.

CHAP. XXXVII.

An ACT for the payment of the journal of accounts. Lib. TBH. No. A. fol. 374.

CHAP. XXXVIII.

An ACT to appoint a truſtee in the place of William Wilkinſon, of Baltimore county, who is d Lib. TBH. No. A. fol. 374. A Private Act.

CHAP. XXXIX.

An ACT to enable Sarah Stokes, wife of Robert Young Stokes, to releaſe her right of dowe certain lots of ground lying in Harford county. Lib. TBH. No. A. fol. 375. A Private Ac

CHAP. XL.

A Supplement to an act, entitled, (a) An act to appoint an intendant of the revenue. Lib. T No. A. fol. 375.

(a) November, 1782, ch. 27.

CHAP. XLI.

An ACT to eſtabliſh a warehouſe for the reception and inſpection of tobaccco at Hamburg Wiccomico river, in Saint-Mary's county. Lib. TBH. No. A. fol. 376.

1784. **At a SESSION of the GENERAL ASSEMBLY of MARYLAN begun and held at the CITY of ANNAPOLIS, on Monday, 1ſt of November, in the year of our Lord 1784, and ended 22d day of January, 1785, the following laws were enacted.**

WILLIAM PACA, ESQUIRE, GOVERNOR.

CHAP. I.

Paſſed 22d of Jan. 1785. An ACT to appoint a truſtee to take care of the perſon and property of George Shipley, ſe who is inſane. Lib. TBH. No. A. fol. 378. A Private Act.

CH

CHAP. II.

An ACT to eſtabliſh a market at the market-houſe in Cheſter-town, in Kent county, and for the regulation of the ſaid market. Lib. TBH. No. A. fol. 381.

Passed 22d of Jan. 1785.

Supplementary and other acts 1789, ch. 19, November, 1792, ch. 40, 1793, ch. 22, 1796, ch. 50.

Preamble.

WHEREAS it has been repreſented to this general aſſembly, that the inhabitants of Cheſter-town, and others, have erected, on the ſquare appropriated for a market-place, a convenient market-houſe, and that if their market was under a proper regulation it might be rendered very uſeful to them, and the inhabitants of the ſaid county and the adjacent county;

Market-days, &c.

II. BE IT ENACTED, *by the General Aſſembly of Maryland*, That from and after the firſt day of January, in the year one thouſand ſeven hundred and eighty-five, two days in the week ſhall be ſet apart, appointed and held, as market-days, within the town of Cheſter aforeſaid, to wit, Wedneſday and Saturday; and that all victuals and proviſion whatſoever brought to the ſaid town for ſale, after the aforeſaid firſt day of January, in the year aforeſaid, (except fiſh and oyſters that ſhall be brought by water, and beef by the quarter or larger quantity, and pork by the hog or hogs, all kinds of grain, flour and bread, butter in firkins, or other veſſels exceeding twenty pounds net, and cheeſe, beef and pork in barrels or larger caſks, live cattle, ſheep and hogs, brought either by land or water,) upon Monday or any other days, ſhall be carried to the public market-houſe of the ſaid town, there to be ſold at the market-hours, to wit, from any time in the morning to twelve at noon.

Penalty on perſons buying out of market, &c.

III. AND BE IT ENACTED, That no perſon ſhall preſume to buy, or cauſe to be bought, of any perſon or perſons bringing to the ſaid town, and within two miles thereof, or having brought any kind of victuals or proviſions whatſoever to the ſaid town for ſale, except as before excepted, either upon the above ſtated market-days, or any other days of the week during the time of the above ſtated market-hours, at any other place whatſoever but at or in the ſaid market-houſe, under the penalty of fifty ſhillings current money for every ſuch offence.

On ſervants, &c.

IV. AND BE IT ENACTED, That if any ſervant or ſlave ſhall, after the aforeſaid firſt day of January, in the year ſeventeen hundred and eighty-five, buy any kind of victuals or proviſions bringing to the ſaid town for ſale, and within two miles of the ſaid town, or brought to the ſaid town for ſale as aforeſaid, except as aforeſaid, either upon the market-days above ſtated, or any other days of the week during the time of the above appointed market-hours, at any other place whatſoever other than the ſaid market-houſe, the owner of the ſaid ſervant or ſlave ſhall be fined the ſum of twenty-five ſhillings for every ſuch offence.

On perſons ſelling, &c.

V. AND BE IT ENACTED, That no perſon whatſoever, after the time aforeſaid, bringing or ſending, or having brought or ſent, any proviſions or victuals to the ſaid town for ſale, ſhall ſell, or cauſe to be ſold, the ſaid victuals or proviſions, ſo bringing or ſending, or brought or ſent, as aforeſaid, to the ſaid town, or within two miles thereof, either by land or water, except as before excepted, under the penalty of twenty-five ſhillings.

By 1796, ch. 50, a proviſion is made againſt engroſſing proviſions.

On ſlaughtering cattle, &c.

VI. AND BE IT ENACTED, That if any perſon ſhall hereafter preſume to ſlaughter or butcher any cattle kind, ſheep or hog, in or near about the ſaid market-houſe, he or they, ſo doing, ſhall forfeit and pay ten ſhillings current money for every ſuch offence.

By 1789, ch. 19, all perſons are reſtrained from ſlaughtering cattle, &c. within the vicinity of Cheſter-town, except in parts appointed by the orphans court.

On putting horſes under market-houſe, &c.

VII. AND BE IT ENACTED, That if any perſon ſhall, after the time aforeſaid, put their own or any other perſon's horſe or horſes, mare or mares, gelding or geldings, into or under the ſaid market-houſe, on any pretence whatſoever, he, ſhe or they, ſhall forfeit and pay five ſhillings current money for every ſuch offence.

Juſtices to appoint a clerk, &c.

VIII. AND BE IT ENACTED, That the juſtices of the orphans court for Kent county, or the major part of them, ſhall meet and aſſemble at the court-houſe of the ſaid county, on or before the firſt day of January, in the year ſeventeen hundred and eighty-five, and yearly and every year thereafter in the month of October in ſuch year, and there nominate and appoint a perſon of good repute and ſkill to be clerk of the ſaid market; and in caſe the clerk ſo appointed ſhall die, reſign, or refuſe to

CHAP. II.

act, or be rendered incapable of acting as aforeſaid, by miſbehaviour, removal or otherwiſe, the ſa juſtices, or the major part of them, ſhall, as ſoon as conveniently may be thereafter, meet togethe and nominate and appoint another ſuch perſon, as aforeſaid, as clerk of ſaid market for the reſid of the ſaid year.

Proviſo.

IX. PROVIDED ALWAYS, AND BE IT ENACTED, That every clerk, ſo as aforeſaid appointed ſha before he acts as ſuch, take the following oath, or affirmation if a quaker, menoniſt or tunker, nic lite or new quaker, before ſome juſtice of peace for ſaid county: "I, A. B. do ſwear, or ſolemn "ſincerely and truly declare and affirm, that I will diligently and faithfully, according to the b "of my ſkill and judgment, execute and perform all and ſingular the duties of clerk of ſaid mark "without favour, affection or partiality, and that I will not, directly or indirectly, receive any "or reward for doing the duties of clerk of ſaid market, but what is or ſhall be allowed by law."

Clerk's duty.

X. AND BE IT ENACTED, That the clerk of the ſaid market ſhall have ſufficient power and auth rity to take care and charge of the ſaid market and market-houſe aforeſaid, to inſpect the proviſio brought thereto for ſale, and, if any ſhall be found unſound or unwholeſome, to deſtroy the ſa and alſo to try and adjuſt the weights and meaſures uſed at the ſaid market by the county ſtandar and the ſame, when falſe or untrue, to ſeize and diſpoſe of to the higheſt bidder, and the mon ariſing from ſuch ſale to be applied as the other fines ſet by this act are appropriated.

May rent ſtalls, &c.

XI. AND BE IT ENACTED, That the ſaid clerk, ſo as aforeſaid nominated and appointed, ſh have full power to rent and hire out, as well the ſtalls and ſhambles in the ſaid market-houſe, as rooms and apartments that now are, or hereafter may be, made over the ſame, and a fair and account of the profits ariſing from ſuch rents the ſaid clerk is hereby directed to keep, and apply ſame from time to time, under the directions of the ſaid court, to the like uſes as the fines ſet this act are directed to be applied; and the ſaid clerk ſhall be allowed, at the diſcretion of the court, a ſum not exceeding twenty pounds, to be levied upon the inhabitants and proprietors of p perty in the ſaid town by equal aſſeſſment, and to be collected as county charges are.

Juſtices to appoint weighers of hay, &c.

XII. AND, whereas great complaints are made of frauds practiſed in the ſale of hay and wo brought to the ſaid town, BE IT ENACTED, That the juſtices of the orphans court for Kent coun or the major part of them, ſhall meet and aſſemble at the court-houſe of the ſaid county, on or fore the firſt day of January, in the year one thouſand ſeven hundred and eighty-five, and yea and every year thereafter in the month of October in ſuch year, and there nominate and appo any number of perſons not exceeding three, of good repute and ſkill, to be weighers of all hay, wood-corders of all firewood, that ſhall be brought to and ſold within the ſaid town; and in any of the ſaid officers, ſo appointed, ſhall die, reſign, or refuſe to act, or be rendered incapable acting or ſerving as aforeſaid, by miſbehaviour, removal or otherwiſe, the juſtices of the orph court, or the major part of them, ſhall, as ſoon as conveniently may be thereafter, meet togeth and nominate and appoint another ſuch perſon as aforeſaid, in the room of him ſo dying, reſigni or refuſing to act, or rendered incapable of acting or ſerving as aforeſaid, for the reſidue of the y to come.

Their oath.

XIII. AND BE IT ENACTED, That every weigher of hay and wood-corder ſhall, before he acts ſuch, take the following oath, or affirmation, (if a quaker, menoniſt or tunker, nicolite or new quake before ſome juſtice of the peace: "I, A. B. do ſwear, or ſolemnly, ſincerely and truly declare "affirm, that I will, when required, well and truly, according to the beſt of my ſkill and judgme "weigh all hay, and cord all wood, without any fear, favour, affection, malice or partiality wh "ever, to the buyer or ſeller, and that I will not, willingly or wittingly, charge, aſk, take, rece "exact or demand, any other or larger fee or reward, for doing my duty, than what is allowed "law."

Firewood to be corded, &c.

XIV. AND BE IT ENACTED, That from and after the firſt day of January next, all firew brought to and offered for ſale in the ſaid town, whether by land or water, ſhall be ſet up, cor and meaſured, by ſome wood-corder appointed as aforeſaid, and that each cord of wood ſhall eight feet in length, four feet in breadth, four feet in height, and well ſtowed and cloſe packed; that the ſaid wood-corder, for his trouble in cording and packing the ſame, ſhall have and rece the ſum of ſix-pence current money for each cord, the one half to be paid by the buyer, the ot half by the ſeller.

By November, 1792, ch. 40, the whole is to be paid by the ſeller.

XV. A

XV. AND BE IT ENACTED, That if any perſon ſhall purchaſe or buy any firewood brought to the ſaid town, and ſhall neglect or refuſe to have the ſame corded and meaſured by ſome wood-corder appointed as aforeſaid, ſuch perſon ſhall forfeit and pay the ſum of five ſhillings for every cord ſo purchaſed and bought, and which the ſaid perſon ſhall refuſe or neglect to have corded as aforeſaid, or ſhall refuſe or omit to requeſt one or other of the ſaid corders to cord purſuant to this act. Penalty on buying wood not corded, &c.

XVI. AND BE IT ENACTED, That no wood-corder, either by himſelf or any other perſon in truſt for him, ſhall buy, trade or barter, for any firewood on the way or brought to the ſaid town for ſale, other than for his family uſe and conſumption, under the penalty of ten ſhillings for every cord ſo bartered, traded for or purchaſed, contrary to this act. On wood-corders buying, &c.

XVII. AND BE IT ENACTED, That from and after the firſt day of January next, all hay, of what kind ſoever, which ſhall be brought, by land or water, to the ſaid town, and offered for ſale therein, ſhall be weighed by the officer ſo as aforeſaid appointed, with proper ſcales and weights, or engines to be provided for that purpoſe, (at the expence of the inhabitants and proprietors of property in the ſaid town, by equal aſſeſſment, to be levied and collected as county charges are,) if he ſhall be thereto required, at the choice and election of either the purchaſer or ſeller of the ſaid hay, for which trouble the ſaid hay-weigher ſhall have and receive of the purchaſer or ſeller of the ſaid hay, who ſhall require the ſame to be weighed, the ſum of five ſhillings for every tun or twenty groſs hundred weight of hay, and no more, and ſo *pro rato*. Hay to be weighed, &c.

XVIII. AND BE IT ENACTED, That every weigher of hay and wood-corder reſpectively ſhall weigh all ſuch hay, and cord all ſuch wood, as they ſhall reſpectively be required to weigh and cord from time to time, when reaſonably requeſted thereto, under the penalty of ten ſhillings for every neglect or refuſal. Penalty on wood-corders, &c.

XIX. AND BE IT ENACTED, That all fines and penalties inflicted and ſet by this act, ſhall be laid out and expended, under the direction of the juſtices of the orphans court aforeſaid, in repairing the ſaid market-houſe, and in keeping in order and repairing the ſaid ſcales, weights and engines, and for the better regulation of the ſaid market. How fines are to be laid out.

By 1793, ch. 22, all fines, &c. under this act are to be recovered before a ſingle magiſtrate in the name of the preſiding juſtice of the orphans court of Kent county.

By 1798, ch. 41, the proviſions in this act and its ſupplements are extended to the market-houſe on the county wharf, in Cheſter county, when finiſhed.

CHAP. III.

An ACT to direct the recording a deed from John Birkhead and Anne his wife to Richard Chew, of Anne-Arundel county. Lib. TBH. No. A. fol. 385. A Private Act. Paſſed 22d of Jan. 1785.

CHAP. IV.

A Bill, entitled, An act to eſtabliſh a road in Worceſter county, from the Sinepuxent road to Walton Purnell and Annanias Hodſon's griſt mill, and from thence to Freeman's Branch. Lib. TBH. No. A. fol. 386.

A Supplement 1785, ch. 20.

WHEREAS a great number of the inhabitants of Worceſter county have, by their humble petition to this general aſſembly, ſet forth, that there hath been a road for a long time in the ſaid county, leading from the Sinepuxent road to the mill of Annanias Hodſon and Walton Purnell, but that the ſaid road never having been made a public road by law, they have of late been deprived of the benefit of the ſaid road, to their great injury and inconvenience; and it appearing to this general aſſembly that the ſaid facts are true, and that the prayer of the ſaid petition ought to be granted, Preamble.

II. BE IT ENACTED, *by the General Aſſembly of Maryland*, That Thomas Purnell, (Wallop's Neck,) James Quinton, William Ironſhare, Parker Selby, (Brick Houſe,) and Iſaac Marſhall, or any three or more of them, be and are hereby authoriſed and empowered to lay out a public road, twenty feet wide, from the ſaid Sinepuxent road, that is, the road leading from Saint-Martin's church to Sinepuxent Inlet, to the griſt mill of the ſaid Annanias Hodſon and Walton Purnell, and from the ſaid mill to Freeman's Branch; which road, when made, ſhall be a public road, and kept up at the public expence; and that the commiſſioners aforeſaid, or any three of them, ſhall aſcertain and value what A road to be laid out, &c.

CHAP. IV. damage may be occaſioned to any perſon or perſons by ſuch road its paſſing through his, her or th land; which damage, when ſo aſcertained, ſhall be paid to ſuch perſon or perſons by the ſaid An nias Hodſon and Walton Purnell.

CHAP. V.

Paſſed 22d of Jan. 1785. An ACT to confirm a deed of bargain and ſale made by John Cannon and Anne Cannon his wife Sarah Piner, of and in the lands and premiſes therein mentioned. Lib. TBH. No. A. fol. 38 A Private Act.

CHAP. VI.

An ACT reſpecting the marriage of Henry Dickinſon, of Caroline county. Lib. TBH. No. fol. 388. A Private Act.

CHAP. VII.

An ACT to provide a permanent fund for the further encouragemer and eſtabliſhment of Waſhington college. Lib. TBH. No. A fol. 388.

A Supplement April, 1792, ch. 7.

Preamble. WHEREAS inſtitutions for the education of youth, under the care and patronage of the ſta have ever been encouraged by the wiſeſt nations, as the moſt effectual means of diſſeminati the principles of religious and civil liberty, private and public virtue, and thoſe liberal arts a ſciences which are at once the greateſt ornament of a free republic, and the ſureſt baſis of its ſta lity and glory: And whereas former legiſlatures of this ſtate have, at various times, had it und their ſerious conſideration to make laſting proviſion for the good education of their youth, and ha accordingly made conſiderable progreſs in this good work, as well by ſundry laws for the eſtabli ment of county ſchools, as by the particular grant of a ſum of money, to be appropriated to the ſ purpoſe of erecting and endowing a college or general ſeminary for the ſtate: And whereas, in p ſuance of the act for founding a college at Cheſter, very large ſums of money have been raiſed private contributors on the eaſtern ſhore, and applied towards building and carrying on ſaid colleg and the legiſlature having heretofore unanimouſly reſolved, that ſuch exertions for the public go merited the approbation of the legiſlature, and ought to receive the public encouragement and aſſ ance; and the viſitors and governors of the ſaid college have, by their memorial to this general ſembly, ſet forth, that the ſum of ten thouſand pounds, which they have, as aforeſaid, procured a raiſed for carrying on the ſaid college, will not be more than ſufficient to furniſh and prepare t building for the reception of the maſters and ſcholars, and for purchaſing a library, and the neceſſa apparatus, mathematical and philoſophical; and that a permanent yearly fund, in addition to t tuition money to be paid by the ſcholars, will be neceſſary for the payment of ſalaries to a princi and a ſufficient number of able profeſſors and tutors, and have accordingly prayed, that this gene aſſembly would take the premiſes into their conſideration, and grant them ſuch permanent aid as th in their wiſdom may think proper: Now this general aſſembly are deſirous, as far as the public c cumſtances will permit, to encourage a ſeminary ſo ſucceſsfully begun, and intended to be for e dedicated and carried on by the name of Waſhington College, in honourable and perpetual memo of the late illuſtrious and virtuous commander in chief of our armies; therefore,

Donation granted, &c. II. BE IT ENACTED, *by the General Aſſembly of Maryland*, That the ſum of twelve hundred and fi pounds (a) current money be annually and for ever hereafter given and granted, as a donation the public, to the uſe of Waſhington college, to be applied, by the viſitors and governors of the ſ college, to the payment of ſalaries to the principal, profeſſors and tutors of the ſaid college.

(a) By 1798, ch. 107, the ſum of five hundred pounds, part of the ſum before appropriated to Waſhington college, is diſ tinued after the 1ſt of May, 1799.

Marriage licences. III. AND, as a certain and permanent fund to procure the ſaid ſum of twelve hundred and fi pounds current money annually, for the uſe aforeſaid, BE IT ENACTED, That the ſum of twenty-f ſhillings current money, impoſed by the act, (b) entitled, An act concerning marriages, for ev marriage licence, and hereafter to be received by the clerks of any of the counties of the eaſt ſhore, and paid by them to the treaſurer of the ſaid ſhore, agreeably to the directions of the ſaid a ſhall remain in his hands, ſubject to the orders of the viſitors and governors of the ſaid college, be drawn according to the directions of this act.

(b) February, 1777, ch. 12.

Fines, &c. IV. AND BE IT ENACTED, That every fine, penalty or forfeiture, for any offence (except only treaſon,) at common law, or by any act of aſſembly now in force, or hereafter to be made, and he

ter impoſed by the general court on the eaſtern ſhore, or by any county court of that ſhore, or any dge or juſtice of either court, and every recognizance taken by the general or any county court on e eaſtern ſhore, or any judge or juſtice of either of the ſaid courts, and hereafter forfeited in the id general court or county court, and collected or received, ſhall be paid to the treaſurer of the ſtern ſhore, and ſhall remain in his hands, ſubject to the orders of the viſitors and governors of aſhington college, to be drawn according to the directions of this act.

V. AND BE IT ENACTED, That the regulations and proviſions made in the act of aſſembly, (a) Ordinary li-
itled, An act for licenſing and regulating ordinary-keepers, paſſed at March ſeſſion, ſeventeen cences.
ndred and eighty, (except ſuch parts of the ſaid act as relate to the retailing of liquors by mer-
ants or ſtorekeepers, or at horſe-races,) ſhall be and remain in full force for ever, as to the grant-
g licences on the eaſtern ſhore, and the money hereafter collected for ordinary licences granted on e eaſtern ſhore, and paid to the treaſurer of the ſaid ſhore, ſhall remain in his hands, ſubject to the ders of the viſitors and governors of Waſhington college, to be drawn according to the directions this act.

(a) March, 1780, ch. 24.

VI. AND BE IT ENACTED, That every perſon carrying goods, wares or merchandiſe, for ſale, Hawkers, &c.
om place to place, ſhall be deemed a hawker or pedler, and, after the firſt day of April next, ſhall, fore they trade, barter or ſell any goods, wares or merchandiſe, on the eaſtern ſhore, take out a ence from ſome county court of the ſaid ſhore, which ſhall be renewed every year; and the ſaid unty courts are hereby authoriſed and required, on application of any perſon of reputation, to ant licence to ſuch perſon to travel and trade, as a hawker or pedler, on the eaſtern ſhore, for one ar from the date of the ſaid licence, which licence ſhall be made out by the clerk of the court, un-
r his hand and the ſeal of the county; and for every licence, and the renewal thereof, there ſhall paid ſix pounds current money to the ſheriff of the county, and five ſhillings to the clerk of the urt for making out or renewing ſuch licence; and the ſeveral clerks are directed, annually, on or fore the firſt day of October, to return to the treaſurer of the eaſtern ſhore a liſt of licences anted to hawkers and pedlers; and the ſeveral ſheriffs ſhall, annually, on or before the firſt day of ctober, pay all money by them received for the ſaid licences to the treaſurer of the ſaid ſhore, and ch money ſhall remain in his hands, ſubject to the orders of the viſitors and governors of Waſh-
gton college, to be drawn according to the directions of this act; and if any hawker or pedler, er the firſt day of April next, ſhall be found travelling with, and expoſing or offering for ſale, any oods, wares or merchandiſe, on the eaſtern ſhore, without a licence obtained as aforeſaid for that rpoſe, ſuch hawker or pedler ſhall, for every offence, forfeit and pay the ſum of ten pounds cur-
nt money; and it is hereby declared to be the duty of every ſheriff, deputy-ſheriff and conſtable, the eaſtern ſhore, to examine and require any perſon carrying goods from place to place for ſale, produce a licence, and in caſe of refuſal or neglect, on requeſt, to produce the ſame, to carry ch perſon before ſome juſtice of the peace, who ſhall take a recognizance from ſuch perſon, with curity, to appear at the next county court; provided, that perſons travelling with linen, hemp, x or thread, the growth and manufacture of this ſtate, and ſelling or bartering the ſame, ſhall not deemed hawkers or pedlers within this act.

VII. AND BE IT ENACTED, That no perſon ſhall retail any wine, rum, brandy, whiſky, or other Penalty on per-
filled ſpirituous liquor, ſtrong beer or cider, on the eaſtern ſhore, without a licence for that purpoſe ſons retailing
tained, agreeably to the directions of this act; and if any perſon ſhall retail any of the articles ſpirituous li-
reſaid without a licence, ſuch perſon ſhall forfeit and pay ſix pounds current money for every ſuch quors, &c.
nce; and every perſon ſelling any of the articles aforeſaid, under the quantity of ten gallons, ll be deemed a retailer, and no perſon ſhall retail leſs than a pint of any of the ſaid articles; pro-
ded, that nothing herein contained ſhall be deemed, conſtrued or taken, to prohibit the maker, filler or brewer, of any ſpirituous liquor, beer or cider, from retailing the ſame, ſuch perſon not lling leſs than a quart at any one time.

VIII. AND BE IT ENACTED, That the juſtices of each county on the eaſtern ſhore, in court ſit- Juſtices to
g, (b) be authoriſed and required, at their next June court, and at their June court annually for grant licences,
er hereafter, to grant licences to any perſon of reputation to be a retailer of any of the liquors &c.
ove mentioned, within their county, for one year from the time of the granting ſuch licence; and ery perſon licenſed to retail ſhall, at the time of obtaining ſuch licence, pay for the ſame, to the ſheriff

(b) By April, 1792, ch. 7, the chief juſtice, or an aſſociate juſtice, (within the counties where they reſpectively reſide,) may grant licences to retailers of ſpirituous liquors, to be in force till the end of the next county court after, to be paid for in pro-
portion, and recognizances to be taken and returned, but no licence to be granted to any perſon who has been refuſed by the county court.

CHAP. VII.

ſheriff of the county, the ſum of three pounds current money, and to the clerk of the county ſum of five ſhillings like money for making out ſuch licence under his hand and the ſeal of the coun and the clerk ſhall annually, on or before the firſt day of October, tranſmit a liſt of all ſuch licen granted in his county to the treaſurer of the eaſtern ſhore; and the ſheriff ſhall pay all money him received for ſuch licences to the ſaid treaſurer, annually, on or before the firſt day of Octob and the ſaid monies ſhall remain in his hands, ſubject to the orders of the viſitors and governor Waſhington college, to be drawn agreeably to the directions of this act.

May ſuppreſs diſorderly retailers, &c.

IX. AND BE IT ENACTED, That if any retailer ſhall keep a diſorderly houſe, or permit or fu any liquor by him ſold or bartered, mixed or unmixed, to be drank in or about his houſe, upon c plaint made thereof to any county court on the eaſtern ſhore, they may ſuppreſs ſuch retailer; during the receſs of the court, upon complaint made to any two of the juſtices of any county c on the ſaid ſhore, or upon their own obſervation of ſuch diſorderly houſe, it ſhall be lawful for th to ſuſpend ſuch retailer till the next county court, who may hear and finally determine on the c duct of ſuch retailer, and either entirely ſuppreſs, or permit the continuation of ſuch retailer; if any retailer, ſuſpended as aforeſaid, ſhall preſume, during ſuch ſuſpenſion, to retail, he ſhall feit forty ſhillings current money for every ſuch offence.

Sealed meaſures only to be uſed, &c.

X. AND BE IT ENACTED, That every licenſed retailer ſhall ſell only by ſealed meaſures, (exc bottled cider, perry and ſtrong beer, of the produce of this ſtate,) and every retailer, who ſ neglect to keep a ſealed gallon, half gallon, quart, and pint meaſure, or who ſhall refuſe or neg to ſell by the ſame, ſhall forfeit and pay twenty ſhillings current money for every refuſal or negl and it ſhall be lawful for any juſtice or conſtable, on complaint, to enter into the houſe of any reta and there call for and inſpect the meaſures uſed by ſuch retailer.

Merchants, &c. not to ſell leſs than ten gallons, &c.

XI. AND BE IT ENACTED, That any thing in this act ſhall not prohibit any merchant, or per keeping ſhop for the ſale of merchandiſe, to ſell any wine, rum, brandy, whiſky, or other diſtil ſpirituous liquors, not leſs than ten gallons, ſo that ſuch liquor, nor any part thereof, be not dr in the houſe or ſhop; or prohibit any perſon, his agent, clerk or other manager, to ſell or ſupply ſuch liquor, not leſs than one pint at the ſame time, to tradeſmen, labourers or others, hired or ployed by ſuch perſon, or his agent, clerk or other manager.

Retailers not to ſell on Sundays, &c.

XII. AND BE IT ENACTED, That it ſhall not be lawful for any retailer to ſell or barter any ſ ſpirituous liquor between the hours of eleven o'clock of every Saturday night, and five o'clock of Monday morning thereafter, under the penalty of forty ſhillings current money for every ſuch offe

Licence may be granted at any court, &c.

XIII. AND BE IT ENACTED, That any perſon, not having before had a licence to retail, may any other court other than June court, have licence granted, if the county court ſhall approve continue no longer than the June court following, when it ſhall determine and may be renewed; taking which licence, the retailer ſhall pay in proportion to the time between his obtaining ſuc cence and the court aforeſaid.

Retailers to enter into recognizance, &c.

XIV. AND BE IT ENACTED, That every perſon applying for licence to retail ſhall, at the t of granting the ſame, enter into recognizance to the ſtate, in the ſum of twenty pounds curr money, with two ſufficient ſecurities, conditioned, that if the perſon obtaining ſuch licence well and truly obſerve, perform and keep, the ſeveral matters and things required by this act, in every reſpect conform thereto, then the ſaid recognizance to be void, otherwiſe of force.

Perſons not to ſell at horſe-races without licence, &c.

XV. AND BE IT ENACTED, That no perſon ſhall ſell or barter any wine, rum, brandy, whi or other diſtilled ſpirituous liquors, ſtrong beer or cider, on the eaſtern ſhore, at any horſe-r without a licence for that purpoſe obtained, under the penalty of twenty pounds current money every offence; and any perſon, deſirous to obtain licence for the ſelling ſuch liquors at any ho race, may apply to any juſtice of the peace, and if he approves of ſuch perſon, he may direct clerk of the county to grant licence to ſuch perſon to ſell any ſuch liquors at the horſe-race ſpec in ſuch licence, and on obtaining ſuch licence, there ſhall be paid to the clerk the ſum of thirty lings current money, to be by him paid to the ſheriff of the county, and two ſhillings and ſix-p to the clerk for his trouble; and the clerk ſhall annually, on or before the firſt day of October, tr mit a liſt of all ſuch licences granted in his county to the treaſurer of the eaſtern ſhore; and ſheriff ſhall pay all money by him received to the ſaid treaſurer annually, on or before the firſt of October, and the ſaid money ſhall remain in his hands, ſubject to the orders of the viſitors governors of Waſhington college, to be drawn according to the directions of this act.

XVI.

CHAP. VII. Viſitors may draw orders, &c.

XVI. AND BE IT ENACTED, That the viſitors and governors of Waſhington college, when duly ſembled at any quarterly meeting, be authoriſed to draw their orders from time to time, under their ivy ſeal, ſigned by the preſident, if preſent, if not by the vice-preſident, on the treaſurer of the ſtern ſhore, for ſuch ſum of money as they may think proper, not exceeding the ſum of twelve ndred and fifty pounds current money in any one year, for the uſes herein before directed; and e ſurplus (if any) ſhall be paid by the treaſurer of the eaſtern ſhore to the treaſurer of the weſtern ore, as other public money.

And lay account before aſſembly, &c.

XVII. AND BE IT ENACTED, That the viſitors and governors of Waſhington college ſhall lay be- e the general aſſembly, at its annual meeting in November, or oftener if required, an account in iting of all monies by them received in virtue of this act, and of the ſalaries by them paid out of e ſaid monies, and to whom.

CHAP. VIII.

Paſſed 22d of Jan. 1785.

n ACT to confirm in Amos Garrett a title to a tract of land called Hazard Enlarged. Lib. TBH. No. A. fol. 394. A Private Act.

CHAP. IX.

n ACT for the relief of Mary Crudgington and Elizabeth Topping. Lib. TBH. No. A. fol. 395. A Private Act.

CHAP. X.

Supplement to an act, entitled, (a) An act for an election to determine at what place the court-houſe and priſon of Harford county ſhould be built. Lib. TBH. No. A. fol. 396.

(a) November, 1781, ch. 10.

Preamble.

WHEREAS by an act paſſed by the general aſſembly of Maryland, November ſeſſion, ſeventeen hundred and eighty-one, the juſtices of Harford county were empowered and required to tract, as ſoon as may be, for a quantity of land not exceeding four acres, and for the erecting a urt-houſe and priſon thereon, and to pay the expence thereof out of the money already collected that purpoſe: And whereas it appears to this general aſſembly, that the money already levied collected for the purpoſe aforeſaid were paid into the hands of the commiſſioners nominated by act paſſed December ſeſſion, ſeventeen hundred and ſeventy-three, entitled, An act for the diviſion Baltimore county, and for erecting a new one by the name of Harford, or ſtill remains in the nds of the ſheriffs of Baltimore and Harford counties appointed to receive the ſame, and it is ubted whether the juſtices aforeſaid are ſufficiently empowered by the firſt recited act to receive or over the public money from the ſaid commiſſioners or ſheriffs;

Juſtices to apply for payment, &c.

II. BE IT THEREFORE ENACTED, *by the General Aſſembly of Maryland*, That the juſtices of Harford unty ſhall be and are hereby authoriſed and required, immediately after the paſſing of this act, to ply to the aforeſaid commiſſioners or ſheriffs, or their repreſentatives, for all ſuch ſums of the blic money or tobacco as they have or ought to have received, or ſecured by bond or otherwiſe, the intereſt thereon ariſing, and in caſe the aforeſaid commiſſioners or ſheriffs, or their repreſenives, ſhould refuſe or neglect payment, the aforeſaid juſtices are hereby empowered and required direct proceſs to be iſſued to compel payment, by action on the caſe, for money or tobacco had received for their uſe.

To give receipts, &c.

III. AND BE IT ENACTED, That the juſtices of Harford county are hereby directed to give proper ceipts for the public money, when paid into their hands, which ſhall be a ſufficient diſcharge and quittance for the aforeſaid commiſſioners or ſheriffs, and their repreſentatives; and ſhall apply all h ſums of the public money or tobacco, received or recovered as aforeſaid, towards building the urt-houſe and priſon in ſaid county, as directed by the above recited act; and that the public ildings, and the ſituation thereof, ſhall be for ever hereafter called and known by the name of thair, any law to the contrary notwithſtanding.

CHAP. XI.

n ACT for the benefit of Iſabella Alexander and her children. Lib. TBH. No. A. fol. 397. A Private Act.

CHAP.

CHAP. XII.

Passed 22d of Jan. 1785.

An ACT to naturalize major-general the marquis de la Fayette, a his heirs male for ever. Lib. TBH. No. A. fol. 399.

Preamble.

WHEREAS the general assembly of Maryland, anxious to perpetuate a name dear to the st and to recognise the marquis de la Fayette for one of its citizens, who, at the age of ni teen, left his native country, and risked his life in the late revolution; who, on his joining the A rican army, after being appointed by congress to the rank of major-general, disinterestedly refu the usual rewards of command, and sought only to deserve what he attained, the character of pat and soldier; who, when appointed to conduct an incursion into Canada, called forth by his prude and extraordinary discretion the approbation of congress; who, at the head of an army in Virgi baffled the manœuvres of a distinguished general, and excited the admiration of the oldest c manders; who early attracted the notice and obtained the friendship of the illustrious general W ington; and who laboured and succeeded in raising the honour and the name of the United State America; therefore,

M. de la Fayette, &c. deemed citizens.

II. BE IT ENACTED, *by the General Assembly of Maryland*, That the marquis de la Fayette, and heirs male for ever, shall be, and they and each of them are hereby deemed, adjudged, and taken be, natural born citizens of this state, and shall henceforth be entitled to all the immunities, ri and privileges, of natural born citizens thereof, they and every of them conforming to the cons tion and laws of this state, in the enjoyment and exercise of such immunities, rights and privile

CHAP. XIII.

An ACT for the relief of Joseph Cresap, of Washington coun Lib. TBH. No. A. fol. 400.

Another act November, 1787, ch. 32.

Preamble.

WHEREAS Joseph Cresap, of Washington county, by his petition sets forth, that his fa Daniel Cresap, some time in the year seventeen hundred and sixty-five, obtained a warra resurvey upon a tract of land called Three Spring Bottom, in Washington county, of which tract said Daniel was then seized and possessed, and made a resurvey thereon, including within the line the said resurvey the quantity of nine hundred and thirty acres of land, and called the same ther's Defeat, as appears by the certificate of the same, dated the sixteenth day of January, in year seventeen hundred and sixty-six, and returned into the land-office; and that some time after, the said Daniel tendered unto his lordship's agent the caution money for the vacancy included in said resurvey, which money was then refused by the said agent, because the said certificate could be found in the land-office, from whence it had been taken out, and has since been found and ret ed into the office: And whereas also the said Joseph hath further shewn, that the aforesaid Da hath assigned over, for a valuable consideration, all his right and interest in and to the said certific and the lands included therein, unto the said Joseph Cresap, and that the money due thereon been tendered to the treasurer of the western shore of this state, and was refused by the said t surer, because he doubted whether by law he was authorised to receive the same;

Treasurer to receive caution money, &c.

II. BE IT ENACTED, *by the General Assembly of Maryland*, That the treasurer of this state be he authorised and required to receive from the same Joseph the caution money due upon the said cer cate of resurvey, agreeable to the rules and regulations in force at the time when the same executed, and that thereupon the register of the land-office, on the application of the said Jos shall and he is hereby directed to make unto the said Joseph a patent for the same; saving to all b politic and corporate, and all persons not mentioned in this act, their several and respective righ

CHAP. XIV.

An ACT to confirm the title of Edward Lloyd in and to a tract of land in Talbot county, c Soldier's Delight. Lib. TBH. No. A. fol. 401. A Private Act.

CHAP. XV.

An ACT to prevent the obstruction of the navigation of the east and north-west branches of the river Patowmack. Lib. TB No. A. fol. 402.

Preamble.

WHEREAS it is represented to this general assembly, that great numbers of wears and he have of late been erected in and upon the eastern and north-west branches of Patowmac

, near the town of Bladenſburg, to the great injury of the navigation of the ſaid river and of the de of the ſaid town; therefore, CHAP. XV.

II. BE IT ENACTED, *by the General Aſſembly of Maryland*, That all wears and hedges, already made hereafter to be made, in the eaſtern and north-weſt branches of the river Patowmack, which ob- ct or injure the free navigation thereof, ſhall be, and are hereby deemed and declared, nuiſances, l may be, by any perſon or perſons, pulled down, proſtrated and abated, as ſuch. Wears, &c. may be pulled down, &c.

III. AND BE IT ENACTED, That no perſon or perſons whatſoever ſhall, after the firſt day of April t, put, place or make, any wear or hedge, or any other erection, which may injure the naviga- n in the ſaid eaſtern or north-weſt branch of the river Patowmack, under the penalty of five nds current money for every ſuch offence, to be recovered before any magiſtrate of the county of nce-George's, one half to the informer, or him or them that will ſue for or proſecute to effect the ſame, the other half to the uſe of this ſtate. Not to be erected, &c.

IV. AND BE IT ENACTED, That any perſon or perſons who ſhall fiſh any ſuch wear or hedge, al- dy erected, or which ſhall hereafter be erected, ſo as to obſtruct or injure the navigation in the ſaid ern or north-weſt branch of the ſaid river Patowmack, ſhall forfeit and pay for every ſuch offence ſum of three pounds current money, to be recovered and applied as herein before directed. Penalty on fiſhing, &c.

V. AND BE IT ENACTED, That all wears and hedges already made, or hereafter to be made, n the water above the town of Bladenſburg, ſo as to obſtruct the natural courſe of the ſaid water, to cauſe the ſaid water to overflow any part of the ſaid town of Bladenſburg, ſhall be deemed and en to be nuiſances, and may be abated as ſuch; and any perſon making, erecting or fiſhing, ſuch ge or wear, after the firſt day of April next, ſhall forfeit for every ſuch offence the ſum of five nds current money, to be recovered and applied as aforeſaid. Wears not to be erected above Bladenſburg, &c.

CHAP. XVI.

n ACT to aſcertain, eſtabliſh and perpetuate, the bounds of the public grounds at Queen's-town. Lib. TBH. No. A. fol. 403.

Paſſed 22d of Jan. 1785.

WHEREAS the commiſſioners of Queen-Anne's county, appointed to ſell the court-houſe and priſon, with the public grounds, at Queen's-town, cannot ſell or diſpoſe of the ſame without iouſly ſettling the bounds thereof; therefore, Preamble.

I. BE IT ENACTED, *by the General Aſſembly of Maryland*, That the commiſſioners of Queen-Anne's nty for laying off the public grounds on Corſica creek, and for ſelling the public property at en's-town, be and they are hereby authoriſed and empowered to lay off the public ground at en's-town, and make a plot of the ſame, and to take and reduce to writing all evidence and proof he bounds and location of the ſaid ground, and the ſame, with the plot by them made, to record ng the records of Queen-Anne's county, in perpetual memory of the ſaid bounds and location. Public ground to be laid off, &c.

CHAP. XVII.

ACT to empower the juſtices of Montgomery county to aſſeſs and levy a ſum of money on the habitants of ſaid county for the purpoſes therein mentioned. Lib. TBH. No. A. fol. 404.

A Supplement 1785, ch. 16.

CHAP. XVIII.

Bill, entitled, An act for underpinning and arching the court-houſe of Baltimore county, in Baltimore-town, and the extenſion of Calvert-ſtreet. Lib. TBH. No. A. fol. 405.

WHEREAS it is repreſented to this general aſſembly, that the court-houſe in the town of Bal- timore, by its poſition on a hill about twenty feet above the pitch of Calvert-ſtreet, and by ng the ſtreet in a due eaſt and weſt courſe, checks the town both in its growth and proſperity, nuch as the extent of Calvert-ſtreet is limitted by the court-houſe, and all direct intercourſe the country thereby prevented: And whereas it is repreſented, that the ſaid court-houſe, by underpinned and arched; that is to ſay, by three arches added to the building on the ſouth and an equal number of correſponding arches on the north ſide, the centre arches to be twenty- feet in the clear and eighteen feet high, the others ſix feet in the clear and twelve feet high, hereabout, would thereby open a direct communication with the country, and permit the pitch Preamble.

CHAP. XVIII.

of the ſtreet to be continued without damage to the ſaid court-houſe, and that perſons are diſpoſ to undertake the ſame at their own expence and riſk: And whereas this general aſſembly is deſiro to promote an undertaking of ſo laudable a nature; therefore,

Court-houſe to be arched, &c.

II. BE IT ENACTED, *by the General Aſſembly of Maryland*, That the juſtices of Baltimore cou court, or any three or more of them, are hereby empowered and directed, when called on by t perſon or perſons who may or ſhall undertake, at his or their own expence and riſk, to under and arch the court-houſe, in Calvert-ſtreet, in Baltimore-town, in Baltimore county, to take a bo in the name of the juſtices of Baltimore county, with ſufficient ſecurity, to be approved of by t ſaid court of Baltimore county, from ſuch perſon or perſons, to oblige and bind ſuch perſon or p ſons to arch the ſaid court-houſe, the ſaid perſon or perſons to arch the ſame with three arches the ſouth ſide of the ſaid court-houſe, and an equal number of correſponding arches on the no ſide, the centre correſponding arches to be twenty-eight feet in the clear and eighteen feet h each, or thereabout, the other arches ſix feet in clear and twelve feet high each, or thereabout, the whole to complete with good and ſufficient materials in a reaſonable time, ſo that the pitch Calvert-ſtreet may be continued through the court-houſe aforeſaid by means of the ſaid arches underpinning; and in caſe any damage or injury ſhall be done to the ſaid court-houſe by or dur the progreſs of the ſaid work, that the perſon or perſons, bound as aforeſaid, ſhall and will rep the ſame at his or their own proper coſts and expence; and in caſe the ſaid building ſhall be thro or fall down in conſequence of the aforeſaid underpinning or arching, or undertaking and attempt to arch and underpin the court-houſe as aforeſaid, or its foundation be rendered thereby leſs ſecu the aforeſaid perſon or perſons ſhall and will pay to the juſtices of Baltimore county aforeſaid ſum of ten thouſand pounds current money, ſo much thereof as is neceſſary for the purpoſe to laid out by the ſaid juſtices in building a new court-houſe of equal value with the preſent co houſe, or in making the ſaid foundation ſecure, and in paying and diſcharging all expences wha ever, which may be incurred by the county of Baltimore in conſequence of any damage or accid to the ſaid court-houſe or its foundation, ariſing from the undertaking aforeſaid; and the reſidue any, of the ſaid ſum, to be by the ſaid juſtices repaid to the perſon or perſons bound as aforeſa and the ſaid juſtices ſhall and may, in their names, bring ſuit on the ſaid bond, and the ſame pr cute to judgment and execution, for the recovery of the ſaid ſum of money or any part thereof be applied to the purpoſes aforeſaid.

Perſons to ſuperintend, &c.

III. AND, for the more effectual carrying the above undertaking into effect, BE IT ENACTED, T William Smith, George Salmon, Aaron Levering, Peter Hoffman, John M'Henry and Ingelh Yeiſer, or a majority of them, be and are hereby authoriſed to ſuperintend the execution of the dertaking aforeſaid.

To appoint a treaſurer, &c.

IV. AND, whereas ſundry perſons have ſubſcribed, and others may ſubſcribe, money for c pleting the arching and underpinning the court-houſe aforeſaid, BE IT ENACTED, That Will Smith, George Salmon, Aaron Levering, Peter Hoffman, John M'Henry and Ingelhard Yei aforeſaid, may appoint one of their number for treaſurer, who is hereby empowered and enjoine receive and collect all monies by the ſaid perſons ſubſcribed, or that may be ſubſcribed, and ſubſcribers are hereby directed to pay their ſeveral ſubſcriptions to the treaſurer appointed as af ſaid; and if any perſon ſhall refuſe or neglect to pay his ſubſcription money, the ſaid treaſurer any of them, in the name of the reſt, may and is hereby authoriſed to ſue for, recover and rece the ſame.

Ground to be laid out, &c.

V. AND BE IT ENACTED, That upon application of the proprietors of the ground, or any pa the ground, lying northerly of the court-houſe aforeſaid, to the commiſſioners of Baltimore-to praying ſaid commiſſioners, that ſuch part as they may have ſurveyed, and laid out into lots, ſtre ſquares, lanes or alleys, may be recorded as part of Baltimore-town, the commiſſioners of Baltim town aforeſaid are hereby directed, upon the application of the proprietors of the land ſo laid into lots, ſtreets, ſquares, lanes or alleys, to record the ſame as a part of Baltimore-town; ſa always and nevertheleſs, to all perſons not mentioned in this act, their ſeveral and reſpective rig

CHAP. XIX.

Paſſed 22d of Jan. 1785.

An ACT for the ſale of the glebe-land of Saint-Mary-Anne's pari in Cæcil county. Lib. TBH. No. A. fol. 407.

Preamble.

WHEREAS the veſtrymen of Saint-Mary-Anne's pariſh, in Cæcil county, have, by their hu petition to this general aſſembly, ſet forth, that the glebe-land of ſaid pariſh is in an u pr

roved ſtate and inconvenient ſituation for a glebe, and conceive it will be greatly to the advantage the pariſh to ſell ſaid glebe-land, and apply the money ariſing therefrom to purchaſing a tract of nd more conveniently ſituated for a glebe, or in caſe ſuch cannot be immediately purchaſed, to ace the money ſafely on intereſt for the uſe of the pariſh, till the preſent or a ſucceeding veſtry n purchaſe a tract of land more conveniently ſituated for a glebe; the petitioners therefore pray, t a law may paſs to enable them, or a ſucceeding veſtry, to ſell and convey the land now belong- to the ſaid pariſh as a glebe, for the reaſons aforeſaid; which being thought reaſonable, CHAP. XIX.

II. BE IT ENACTED, *by the General Aſſembly of Maryland*, That the veſtrymen and churchwardens Saint-Mary-Anne's pariſh, in Cæcil county, for the time being, or the major part of them, be and e hereby authoriſed and empowered to ſell and convey, in fee-ſimple, to the perſon that ſhall bid e beſt price, all the land belonging to the aforeſaid pariſh as a glebe, at public vendue, after giving weeks notice of the intended ſale in the Baltimore Journal, and at the court-houſe door in Cæcil unty, and at five of the moſt public places in the pariſh aforeſaid, and the money ariſing from ſuch le to apply towards the purchaſing of another piece of land more conveniently ſituated; and that h land, when ſo purchaſed, ſhall be made over to the veſtrymen and churchwardens, and their ceſſors aforeſaid, in truſt, for the uſe and benefit of the miniſter or incumbent of ſaid pariſh for er; provided, that in caſe the ſaid veſtrymen and churchwardens ſhall not be able to purchaſe ſome her land more convenient, as herein before directed, then the ſaid veſtrymen and churchwardens ll and they are hereby empowered and directed to place the money ariſing from ſuch ſale out to tereſt, upon bond with good and ſufficient ſecurity, taken in the name of the ſaid veſtrymen and rchwardens, in truſt, for the uſe and benefit of the ſaid pariſh, which intereſt ſhall be paid year- to the miniſter or incumbent of ſaid pariſh for the time being, and in caſe of no miniſter or incum- nt, then to the veſtrymen or churchwardens thereof, in truſt, as aforeſaid, and to be by them ac- unted for, till the purchaſe aforeſaid can be made, which it is nevertheleſs hereby declared to be the ty of the ſaid veſtrymen and churchwardens, or the major part of them, to make, as ſoon as poſ- le can be done, to the advantage and convenience intended. Veſtrymen, &c. to ſell land, &c.

CHAP. XX.

An ACT to inveſt James Rumſey with an excluſive privilege and benefit of making and ſelling new invented boats, on a model by him invented. Lib. TBH. No. A. fol. 408.

Paſſed 22d of Jan. 1785.

WHEREAS James Rumſey, by his petition to this general aſſembly hath ſet forth, that he has invented a plan for navigating boats againſt the current of rapid rivers, at a very ſmall ex- ce, whereby great advantages will redound to the citizens of this ſtate, and has prayed that an may paſs, veſting in him a ſole and excluſive right, privilege and benefit, in conſtructing, navi- ing and employing boats conſtructed after his new invented model, upon the creeks, rivers and within this ſtate, be granted to him, his executors, adminiſtrators and aſſigns, for a limitted ; and it appearing reaſonable that the ſaid James Rumſey ſhould have the benefit and advantage his ſaid invention, Preamble.

II. BE IT ENACTED, *by the General Aſſembly of Maryland*, That the excluſive right, privilege and fit, of making, conſtructing, ſelling, within this ſtate, the ſaid new invented boats, or improve- ts upon the ſaid plan, ſhall be and is hereby veſted in the ſaid James Rumſey, his executors, ad- iniſtrators and aſſigns, for and during the ſpace of ten years from the end of this ſeſſion of aſſembly. Excluſive right veſted, &c.

III. AND BE IT ENACTED, That if any perſon, during the ſaid term of ten years, as aforeſaid, ll make, conſtruct, vend, ſell, within this ſtate, any ſuch invented boats or veſſels, without a li- ce in writing firſt had and obtained from the ſaid James Rumſey, his executors, adminiſtrators or gns, for that purpoſe, or ſhall purchaſe or uſe ſuch invented boat or veſſel as aforeſaid, within the aforeſaid, made by any perſons other than the ſaid James Rumſey, his executors, adminiſtra- or aſſigns, or by ſome perſon licenſed by him or them for that purpoſe, every perſon, ſo making, ſtructing, vending, ſelling or uſing, ſuch invented boat or veſſel, ſhall forfeit and pay to the ſaid es Rumſey, his executors, adminiſtrators or aſſigns, the ſum of five hundred pounds current ey, to be recovered in any court of record in an action of debt founded upon this act. Penalty on making boats, &c.

CHAP. XXI.

ACT for recording a deed executed by Samuel Ervin, Mary Ervin and William Ervin, to Wil- am Rogers, of Cæcil county. Lib. TBH. No. A. fol. 409. A Private Act.

CHAP. XXII.

Paſſed 22d of Jan. 1785.

An ACT to enable Edward Lloyd, Eſquire, to record a deed from James and Blaney Edmond to Edward Lloyd, Eſquire, deceaſed, for a tract of land called Addition. Lib. TBH. No. fol. 410. A Private Act.

CHAP. XXIII.

An ACT to authoriſe the delegates of this ſtate in Congreſs to conſent to an alteration in the eig of the articles of the confederation, and in its place to ſubſcribe and ratify another. Lib. TB No. A. fol. 411.

CHAP. XXIV.

An ACT for recording a deed from James Rumſey to John Carnan, of Cæcil county. Lib. TB No. A. fol. 412. A Private Act.

CHAP. XXV.

An ACT for making valid a deed from George Lux, William Lyon and James Dick, to Thoma Burling and James Shaw. Lib. TBH. No. A. fol. 413. A Private Act.

CHAP. XXVI.

An ACT directing and empowering the adminiſtrators of Frederick Foreman, late of Queen-An county, to ſell and diſpoſe of part of a tract of land therein mentioned, and to apply the mo ariſing therefrom. Lib. TBH. No. A. fol. 414. A Private Act.

CHAP. XXVII.

An ACT for the relief of Duncan Campbell and James Burney, languiſhing priſoners in Ta county gaol. Lib. TBH. No. A. fol. 416. A Private Act.

CHAP. XXVIII.

An ACT to empower Henrietta Maria Walker and Iſaac Walker to ſell a lot of ground, and ap the money as therein mentioned. Lib. TBH. No. A. fol. 418. A Private Act.

CHAP. XXIX.

An ACT concerning fugitive criminals. Lib. TBH. No. A. fol. 419.

CHAP. XXX.

An ACT to empower the juſtices of Waſhington county to aſſeſs and levy a ſum of money from inhabitants of ſaid county for the purpoſe of finiſhing the building of their court-houſe and pri Lib. TBH. No. A. fol. 421.

CHAP. XXXI.

An ACT to empower Elijah Merryman to demiſe the real eſtate therein mentioned. Lib. T No. A. fol. 422. A Private Act.

CHAP. XXXII.

An ACT to declare Joſhua Johnſon, merchant, his wife and children, citizens of this ſtate. TBH. No. A. fol. 423. A Private Act.

CHAP. XXXIII.

An ACT for eſtabliſhing a company for opening and extending navigation of the river Patowmack. Lib. TBH. No. A. fol. 4

Supplementary and other acts 1785, ch. 3, 1786, ch. 2, November, 1787, ch. 25, 1790, ch. 35, April, 1792, ch. 9, ch. 29, ch. 66, 1795, ch. 51, ch. 89, 1796, ch. 19, 1797, ch. 93.

Preamble.

WHEREAS the extenſion of the navigation of Patowmack river, from tide water to the hig place practicable on the north branch, will be of great public utility, and many perſons willing to ſubſcribe large ſums of money to effect ſo laudable and beneficial a work, and it is juſt proper that they, their heirs and aſſigns, ſhould be empowered to receive reaſonable tolls for eve ſatisfaction for the money advanced by them in carrying the work into execution, and the riſk run: And whereas it may be neceſſary to cut canals, and erect locks and other works on both of the river, and the legiſlatures of Virginia and Maryland, impreſſed with the importance of object, are deſirous of encouraging ſo uſeful an undertaking; therefore,

Books to be opened, &c.

II. BE IT ENACTED, *by the General Aſſembly of Maryland*, That it ſhall and may be lawful to books in the city of Annapolis, George-town and Frederick-town, in this ſtate, for receiving entering ſubſcriptions for the ſaid undertaking, under the management of Chriſtopher Richmond John Davidſon, merchant, or either of them, at the city of Annapolis, William Deakins and jamin Stoddert, or either of them, at George-town, and Joſeph Sim and Abraham Faw, or eith

them, at Frederick-town, and under the management of ſuch perſons, and at ſuch places, in Virginia, as ſhall be appointed by act of aſſembly of that government, which ſubſcriptions ſhall be made perſonally, or by power of attorney, and ſhall be made in Spaniſh milled dollars, but may be paid in foreign ſilver or gold coin of the value; that the ſaid books ſhall be opened for receiving ſubſcriptions on the eighth day of February next, and continue open for this purpoſe until the tenth day of May next inclusive, and on the ſeventeenth day of the ſaid month of May, there ſhall be a general meeting of the ſubſcribers at the town of Alexandria, of which meeting notice ſhall be given by the ſaid managers, or any four of them, in the Maryland and Virginia gazettes, at leaſt one month next before the ſaid meeting; provided, that if the ſame time of receiving ſubſcriptions, and of meeting, ſhould not be appointed by the legiſlature of Virginia, then there ſhall be a meeting of the ſubſcribers at the time by them appointed at the place aforeſaid, notice whereof to be given as aforeſaid, and the ſubſcriptions made at the times and places appointed by Virginia ſhall be then received, and ſuch meeting ſhall and may be continued from day to day until the buſineſs is finiſhed; and the acting managers, at the time and place aforeſaid, ſhall lay before ſuch of the ſubſcribers as ſhall meet according to the ſaid notice, the books by them reſpectively kept, containing the ſtate of the ſaid ſubſcriptions, and if one half the capital ſum aforeſaid ſhould, upon examination, appear not to have been ſubſcribed, then the ſaid managers, at the ſaid meeting, are empowered to take and receive ſubſcriptions to make up the deficiency; and a juſt and true liſt of all the ſubſcribers, with the ſums ſubſcribed by each, ſhall be made out and returned by the ſaid managers, or any four or more of them, under their hands, into the general court of each ſtate, to be there recorded; and in caſe more than two hundred and twenty-two thouſand two hundred and twenty-two dollars and two ninths of a dollar ſhall be ſubſcribed, then the ſame ſhall be reduced to that ſum by the ſaid managers, or a majority of them, by beginning at, and ſtriking off a ſhare from, the largeſt ſubſcription or ſubſcriptions, and continuing to ſtrike off a ſhare from all ſubſcriptions under the largeſt and above one ſhare, until the ſum is reduced to the capital of two hundred and twenty-two thouſand two hundred and twenty-two dollars and two ninths of a dollar, or until a ſhare is taken from all ſubſcriptions above one ſhare, and lots ſhall be drawn between ſubſcribers of equal ſums, to determine the numbers in which ſuch ſubſcribers ſhall ſtand on a liſt to be made for ſtriking off as aforeſaid; and if the ſum ſubſcribed ſtill exceeds the capital aforeſaid, then to ſtrike off by the ſame rule until the ſum ſubſcribed is reduced to the capital aforeſaid, or all the ſubſcriptions are reduced to one ſhare, and if there ſtill be an exceſs, then lots to be drawn to determine the ſubſcribers who are to be excluded to reduce the ſubſcriptions to the capital aforeſaid, which ſtriking off ſhall be certified in the liſt aforeſaid; and the ſaid capital ſum ſhall be reckoned and divided into five hundred ſhares of four hundred and forty-four dollars and four ninths of a dollar each, of which every perſon ſubſcribing may take and ſubſcribe for one or more whole ſhares, and not otherways; provided, that unleſs one half of the ſaid capital ſhall be ſubſcribed as aforeſaid, all ſubſcriptions made in conſequence of this act ſhall be void; and in caſe one half, and leſs than the whole of the ſaid capital ſhall be ſubſcribed as aforeſaid, then the preſident and directors are hereby empowered and directed to take and receive the ſubſcriptions which ſhall firſt be offered, in whole ſhares as aforeſaid, until the deficiency ſhall be made up; a certificate of which additional ſubſcription ſhall be made under the hands of the preſident and directors, or a majority of them, for the time being, and returned to, and recorded in, the general courts as aforeſaid.

Subſcribers incorporated, &c.

III. AND BE IT ENACTED, That in caſe one half of the ſaid capital, or a greater ſum, ſhall be ſubſcribed as aforeſaid, the ſaid ſubſcribers, and their heirs and aſſigns, from the time of the ſaid firſt meeting, ſhall be and are hereby declared to be incorporated into a company, by the name of the Patowmack Company, and may ſue and be ſued as ſuch; and ſuch of the ſaid ſubſcribers as ſhall be preſent at the ſaid meeting, or a majority of them, are hereby empowered and required to elect a preſident and four directors, for conducting the ſaid undertaking, and managing all the ſaid company's buſineſs and concerns, for and during ſuch time, not exceeding three years, as the ſaid ſubſcribers, or a majority of them, ſhall think fit; and in counting the votes of all general meetings of the ſaid company, each member ſhall be allowed one vote for every ſhare, as far as ten ſhares, and one vote for every five ſhares above ten, by him or her held at the time in the ſaid company; and any proprietor, by writing under his or her hand, executed before two witneſſes, may depute any other member or proprietor to vote and act as proxy for him or her at any general meeting.

Preſident, &c. to agree with perſons, &c.

IV. AND BE IT ENACTED, That the ſaid preſident and directors ſo elected, and their ſucceſſors, or a majority of them aſſembled, ſhall have full power and authority to agree with any perſon or perſons, on behalf of the ſaid company, to cut ſuch canals, and erect ſuch locks, and perform ſuch other works, as they ſhall judge neceſſary, for opening, improving and extending, the navigation of the ſaid river above tide water to the higheſt part of the north branch to which navigation can be extended,

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extended, and carrying on the ſame from place to place, and from time to time, and upon ſuch term and in ſuch manner, as they ſhall think fit, and out of the money ariſing from the ſubſcriptions an the tolls, and other aids herein after given, to pay for the ſame, and to repair and keep in order th ſaid canals, locks, and other works neceſſary thereto, and to defray all incidental charges; and al to appoint a treaſurer, clerk, and ſuch other officers, toll-gatherers, managers and ſervants, as the ſhall judge requiſite, and to agree for and ſettle their reſpective wages or allowances, and ſettl paſs and ſign their accounts; and alſo to make and eſtabliſh rules of proceedings, and to tranſa all the other buſineſs and concerns of the ſaid company, in and during the intervals between the g neral meetings of the ſame; and they ſhall be allowed, as a ſatisfaction for their trouble therei ſuch ſum of money as ſhall by a general meeting of the ſubſcribers be determined; provided alway that the treaſurer ſhall give bond, in ſuch penalty and with ſuch ſecurity as the ſaid preſident an directors, or a majority of them, ſhall direct, for the true and faithful diſcharge of the truſt repoſe in him, and that the allowance to be made to him for his ſervices ſhall not exceed three pounds i the hundred for the diſburſements by him made, and that no officer in the ſaid company ſhall hav any vote in the ſettlement or paſſing his own account.

May draw orders, &c.

V. AND BE IT ENACTED, That the ſaid preſident and directors, and their ſucceſſors, or a major ty of them, ſhall have full power and authority, from time to time as money ſhall be wanted, make and ſign orders for that purpoſe, and direct at what time and in what proportion the proprieto ſhall advance and pay of the ſums ſubſcribed, which orders ſhall be advertiſed at leaſt one month i the Maryland and Virginia gazettes; and they are hereby authoriſed and empowered to demand an receive of the ſeveral proprietors, from time to time, the ſums of money ſo ordered to be advance for carrying on and executing, or repairing and keeping in order the ſaid works, until the ſums ſub ſcribed ſhall be fully paid; and to order the ſaid ſums to be depoſited into the hands of the treaſure to be by him diſburſed and paid out, as the ſaid preſident and directors, or a majority of them, ſha order and direct; and if any of the ſaid proprietors ſhall refuſe or neglect to pay their ſaid propo tions within one month after the ſame ſo ordered and advertiſed as aforeſaid, the ſaid preſident an directors, or a majority of them, may ſell at auction, and convey to the purchaſer, the ſhare ſhares of ſuch proprietor ſo refuſing or neglecting payment, giving at leaſt one month's notice of th ſale in the Maryland and Virginia gazettes; and, after retaining the ſum due and charges of ſale o of the money produced thereby, they ſhall refund and pay the overplus, if any, to the former owne and if ſuch ſale ſhall not produce the full ſum ordered and directed to be advanced as aforeſaid, wit the incidental charges, the ſaid preſident and directors, or a majority of them, may, in the name the company, ſue for and recover the balance, by action of debt on the caſe; and the ſaid purchaſ or purchaſers ſhall be ſubject to the ſame rules and regulations as if the ſaid ſale and conveyance ha been made by the original proprietor. (a)

(a) By 1794, ch. 29, the act of November, 1787, ch. 25, giving a remedy againſt delinquent ſubſcribers, is repealed; and much of this act as directs the ſale of the ſhares of delinquent ſubſcribers, is declared to be in force.

Preſident, &c. may be continued, &c.

VI. AND, to continue the ſucceſſion of the ſaid preſident and directors, and to keep up the ſam number, BE IT ENACTED, That from time to time, upon the expiration of the ſaid term for whic the ſaid preſident and directors were appointed, the proprietors of the ſaid company, at the next g neral meeting, ſhall either continue the ſaid preſident and directors, or any of them, or choo others in their ſtead; and in caſe of the death, removal, reſignation or incapacity, of the preſiden or any of the ſaid directors, may and ſhall, in manner aforeſaid, elect any other perſon or perſons be preſident and directors, in the room of him or them ſo dying, removing or reſigning, and may, any of their general meetings, remove the preſident or any of the directors, and appoint others f and during the remainder of the term for which ſuch perſon or perſons were at firſt to have acted.

To take an oath, &c.

VII. AND BE IT ENACTED, That every preſident and director, before he acts as ſuch, ſhall ta an oath or affirmation for the due execution of his office.

Proprietors to meet annually, &c.

VIII. AND BE IT ENACTED, That the preſence of proprietors having one hundred ſhares at th leaſt ſhall be neceſſary to conſtitute a general meeting, and that there be a general meeting of pr prietors on the firſt Monday of Auguſt in every year, at ſuch convenient town as ſhall be from tim to time appointed by the ſaid general meeting, but if a ſufficient number ſhould not attend on th day, the proprietors who do attend may adjourn ſuch meeting from day to day till a general mee ing of proprietors ſhall be had, which may be continued from day to day until the buſineſs of t company is finiſhed; to which meeting the preſident and directors ſhall make report, and render di tinct and juſt accounts of all their proceedings, and on finding them fairly and juſtly ſtated, the pr prietors then preſent, or a majority of them, ſhall give a certificate thereof, a duplicate of whi

hall be entered on the ſaid company's books; and at ſuch yearly general meetings, after leaving in the hands of the treaſuer ſuch ſum as the proprietors, or a majority of them, ſhall judge neceſſary for repairs and contingent charges, an equal dividend of all the net profits ariſing from the tolls hereby granted ſhall be ordered and made to and among all the proprietors of the ſaid company, in proportion to their ſeveral ſhares; and upon any emergency, in the interval between the ſaid yearly meetings, the ſaid preſident, or a majority of the ſaid directors, may appoint a general meeting of the proprietors of the ſaid company, at any convenient town, giving at leaſt one month's previous notice in the Maryland and Virginia gazettes, which meeting may be adjourned and continued as aforeſaid.

Canals, &c. veſted in proprietors, &c.

IX. AND BE IT ENACTED, That for and in conſideration of the expences the ſaid proprietors will be at, not only in cutting the ſaid canals, erecting locks and other works for opening the different falls of the ſaid river, and in improving and extending the navigation thereof, but in maintaining and keeping the ſame in repair, the ſaid canals and works, with all their profits, ſhall be, and the ſame are hereby veſted in the ſaid proprietors, their heirs and aſſigns for ever, as tenants in common, in proportion to their reſpective ſhares, and the ſame ſhall be deemed real eſtate, and be for ever exempt from payment of any tax, impoſition or aſſeſſment whatſoever; and that it ſhall and may be lawful for the ſaid preſident and directors, at all times for ever hereafter, to demand and receive, at the neareſt convenient place below the mouth of the South branch, and at or near Payne's falls, (a) and at or above the Great falls (b) of the river Patowmack, and every of thoſe places ſeparately, for all commodities tranſported through either of them reſpectively, tolls according to the following table and rates, to wit:

	Sterling. At the mouth of the South branch.	At Payne's falls.	At the Great falls.
Every pipe or hogſhead of wine containing more than ſixty-five gallons,	0 1 6	0 1 6	0 3 0
Every hogſhead of rum or other ſpirits,	0 1 3	0 1 3	0 2 6
Every hogſhead of tobacco,	0 1 0	0 1 0	0 2 0
Every caſk between ſixty-five and thirty-five gallons, one half of a pipe or hogſhead; barrels, one fourth part; and ſmaller caſks or kegs in proportion, according to the quality and quantity of their contents of wine or ſpirits.			
For caſks of linſeed oil, the ſame as ſpirits.			
Every buſhel of wheat, peas, beans or flax-ſeed,	0 0 0½	0 0 0½	0 0 1
Every buſhel of Indian corn or other grain, or ſalt,	0 0 0¼	0 0 0¼	0 0 0½
Every barrel of pork,	0 0 6	0 0 6	0 1 0
Every barrel of beef,	0 0 4	0 0 4	0 0 8
Every barrel of flour,	0 0 3	0 0 3	0 0 6
Every tun of hemp, flax, pot-aſh, bar or manufactured iron,	0 2 6	0 2 6	0 5 0
Every tun of pig-iron or caſtings,	0 0 10	0 0 10	0 1 8
Every tun of copper, lead or other ore, other than iron ore,	0 2 0	0 2 0	0 4 0
Every tun of ſtone or iron ore,	0 0 5	0 0 5	0 0 10
Every hundred buſhels of lime,	0 1 3	0 1 3	0 2 6
Every chaldron of coals,	0 0 5	0 0 5	0 0 10
Every hundred pipe ſtaves,	0 0 2¼	0 0 2¼	0 0 4½
Every hundred hogſhead ſtaves, or pipe or hogſhead heading,	0 0 1½	0 0 1½	0 0 3
Every hundred barrel ſtaves, or barrel heading,	0 0 1	0 0 1	0 0 2
Every hundred cubic feet of plank or ſcantling,	0 0 10	0 0 10	0 1 8
Every hundred cubic feet of other timber,	0 0 5½	0 0 5½	0 0 11
Every groſs hundred weight of all other commodities or packages,	0 0 1½	0 0 1½	0 0 3
And every empty boat or veſſel which has not commodities on board to yield ſo much, except an empty boat or veſſel returning, whoſe load has already paid at the reſpective places the ſums fixed at each, in which caſe ſhe is to paſs toll free,	0 2 6	0 2 6	0 5 0

Which

(a) By 1790, ch. 35, the tolls may be received at or near Hook's falls, inſtead of Payne's falls.

(b) One third of the tolls, (until the whole is payable,) may be demanded, &c. at the Great falls, and alſo at or near the mouth of Watts's branch, by 1790, ch. 35.

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Which tolls are rated in ſterling money, and may be diſcharged in foreign gold or ſilver coin of the preſent fineneſs, at the following rates, to wit:

	£.		
Spaniſh milled piece of eight, or dollar,	0	4	6
Other coined Spaniſh ſilver of equal fineneſs, per ounce,	0	5	1¼
Engliſh milled crowns,	0	5	0
French ſilver crowns,	0	5	0
Johannes, weighing eighteen pennyweight,	3	12	0
Half Johannes, weighing nine pennyweight,	1	16	0
Moidores, weighing ſix pennyweight eighteen grains,	1	7	0
Engliſh guineas, weighing five pennyweight ſix grains,	1	1	0
French ditto, weighing five ditto five grains,	1	0	10
Doubloons, weighing ſeventeen pennyweight,	3	6	0
Spaniſh piſtoles, weighing four pennyweight ſix grains,	0	16	6
French milled piſtoles, weighing four pennyweight and four grains,	0	16	4
Arabian chequins, weighing two pennyweight three grains,	0	8	6
Other gold coin (German excepted,) by the pennyweight,	0	4	0

But if any of the coin aforeſaid ſhould hereafter be rendered leſs valuable than they are at preſent either by leſſening their weight, or therewith adding a greater quantity of alloy than is in them reſpectively at preſent, then ſo much of any of the ſaid coins, the value of which is ſo reduced, to be received for the tolls aforeſaid, as is equal in value to the ſaid coins in their preſent ſtate of fineneſs and weight, ſhall be payable for the ſaid tolls at their reduced value only; and in caſe of refuſal or neglect to pay the toll at the time of offering to paſs through any of the ſaid places, and previous to the veſſels paſſing through the ſame, the collectors of the ſaid tolls may lawfully refuſe paſſage to ſuch veſſel; and if any veſſel ſhall paſs without paying the ſaid toll, then the ſaid collectors may ſeize ſuch veſſel, wherever found, and ſell the ſame at auction for ready money, which, ſo far as is neceſſary, ſhall be applied towards paying the ſaid toll and all expences of ſeizure and ſale, and the balance (if any,) ſhall be paid to the owner, and the perſon having the direction of ſuch veſſel ſhall be liable for ſuch toll, if the ſame is not paid by ſale of ſuch veſſel as aforeſaid; provided, that the ſaid proprietors, or a majority of them, holding at leaſt three hundred ſhares, ſhall have full power and authority, at any general meeting, to leſſen the ſaid tolls, or any of them, or to determine that any article may paſs free of toll.

By 1794, ch. 29, the ſeveral tolls made payable by this act ſhall, inſtead thereof, be payable at Hook's falls; and the tolls made payable at the Great falls, ſhall be payable at the Great falls and at Watts's branch, in ſuch proportion as ſhall be directed by the company; and the tolls made payable at the mouth of the South branch, ſhall be payable at ſome convenient place between the mouths of Great Cacapeton and Conococheague, to be appointed by the company.

By 1797, ch. 93, the company may receive, at or near the mouth of Conococheague, the tolls payable at that place, alſo the tolls payable at Watts's branch and the Great falls, in the ſame manner as if the locks at the Great falls were complete, and alſo to receive the tolls on ſuch articles as are brought up the river to the Great falls, on the conditions therein mentioned; and they may receive, on all articles tranſported through the locks finiſhed at the Little falls, the ſame rates and tolls payable at Hook's falls, and at or near the mouth of Conococheague, if they have not before paid any tolls at any other place in the river above the ſaid Little falls.

By 1790, ch. 35, the tolls, as they ariſe, and any part of the capital ſtock, may be applied in opening, &c. the branches of the river above Seneca.

River to be eſteemed public, &c.

X. AND BE IT ENACTED, That the ſaid river, and the works to be erected thereon in virtue of this act, when completed, ſhall for ever thereafter be eſteemed and taken to be navigable as a public highway, free for the tranſportation of all goods, commodities or produce, whatſoever, on payment of the tolls impoſed by this act; and no other toll or tax whatever, for the uſe of the water of the ſaid river, and the works thereon erected, ſhall at any time hereafter be impoſed by both or either of the ſaid ſtates, ſubject nevertheleſs to ſuch regulations as the legiſlatures of the ſaid ſtates may concur in, to prevent the importation of prohibited goods, or to prevent fraud in evading the payment of duties impoſed in both or either of the ſaid ſtates on goods imported into either of them.

Directors may purchaſe land, &c.

XI. AND, whereas it is neceſſary for the making the ſaid canal, locks and other works, that a proviſion ſhould be made for condemning a quantity of land for the purpoſe; BE IT ENACTED, That it ſhall and may be lawful for the ſaid preſident and directors, or a majority of them, to agree with the owners of any land through which the ſaid canal is intended to paſs, for the purchaſe thereof, and in caſe of diſagreement, or in caſe the owner thereof ſhall be a *feme-covert*, under age, *non compos*, or out of the ſtate, on application to any two juſtices of the county in which ſuch land ſhall lie, the ſaid juſtices ſhall iſſue their warrant, under their hands, to the ſheriff of their county, to ſummon a jury of twenty-four inhabitants of his county, of property and reputation, not related to the parties, nor in any manner intereſted, to meet on the land to be valued, at a day to be expreſſed in the warrant

ot leſs than ten nor more than twenty days thereafter, and the ſheriff, upon receiving the ſaid warnt, ſhall forthwith ſummon the ſaid jury, and when met, ſhall adminiſter an oath, or affirmation, every juryman that ſhall appear, that he will faithfully, juſtly and impartially, value the land, ot exceeding in any caſe the width of two hundred feet,) and all damages the owner therefore ſhall ſtain by the cutting the canal through ſuch land, according to the beſt of his ſkill and judgment, d that in ſuch valuation he will not ſpare any perſon for favour or affection, nor any perſon grieve r hatred, malice or ill will; and the inquiſition thereupon taken ſhall be ſigned by the ſheriff and me twelve or more of the jury, and returned by the ſheriff to the clerk of his county, to be by m recorded; and upon every ſuch valuation, the jury is hereby directed to deſcribe and aſcertain e bounds of the land by them valued, and their valuation ſhall be concluſive on all perſons, and ll be paid by the ſaid preſident and directors to the owner of the land or his legal repreſentative, d on payment thereof, the ſaid company ſhall be ſeized in fee of ſuch land, as if conveyed by the wner to them and their ſucceſſors by legal conveyance; provided, nevertheleſs, that if any further mage ſhall ariſe to any proprietor of land in conſequence of opening ſuch canal, or in erecting ch works, than had been before conſidered and valued, it ſhall and may be lawful for ſuch proprie-, as often as any ſuch new damage ſhall happen, by application to, and a warrant from, any two ſtices of the county where the lands lie, to have ſuch further damage valued by a jury in like man-r, and to receive and recover the ſame of the ſaid preſident and directors; but nothing herein ſhall taken or conſtrued to entitle the proprietors of any ſuch lands to recover compenſation for any mages which may happen to any mills, forges, or other works or improvements, which ſhall be be- or erected by ſuch proprietor after ſuch firſt valuation, unleſs the ſame damage is wilfully or ma-iouſly done by the ſaid preſident and directors, or ſome perſon by their authority.

XII. AND BE IT ENACTED, That the ſaid preſident and directors, or a majority of them, are here- authoriſed to agree with the proprietor for the purchaſe of a quantity of land, not exceeding one e, at or near ſuch of the ſaid places of receipt of tolls aforeſaid, for the purpoſe of erecting ne-ſary buildings, and in caſe of diſagreement, or any of the diſabilities aforeſaid, or the proprietor ag out of the ſtate, then ſuch land may be valued, condemned, and paid for, as aforeſaid, for the rpoſe aforeſaid, and the ſaid company ſhall, upon payment of the valuation of the ſaid land, be zed thereof in fee-ſimple as aforeſaid. Erect buildings, &c.

XIII. AND, whereas ſome of the places through which it may be neceſſary to conduct the ſaid nals may be convenient for erecting mills, forges, or other waterworks, and the perſons poſſeſſors ſuch ſituation may deſign to improve the ſame, and it is the intention of this act not to interfere th private property, but for the purpoſe of improving and perfecting the ſaid navigation, BE IT ACTED, That the water, or any part thereof, conveyed through any canal or cut made by the ſaid mpany, ſhall not be uſed for any purpoſe but navigation, unleſs the conſent of the proprietors of e land through which the ſame ſhall be led be firſt had; and the ſaid preſident and directors, or a jority of them, are hereby empowered and directed, if it can be conveniently done to anſwer both e purpoſes of navigation and waterworks aforeſaid, to enter into reaſonable agreements with the prietors of ſuch ſituation concerning the juſt proportion of the expences of making large canals cuts, capable of carrying ſuch quantities of water as may be ſufficient for the purpoſes of naviga-n, and alſo for any ſuch waterworks as aforeſaid. Water to be uſed only for navigation, &c.

XIV. AND BE IT ENACTED, That it ſhall and may be lawful for every of the ſaid proprietors to nſfer his ſhare or ſhares, by deed executed before two witneſſes, and regiſtered after proof of the ecution thereof in the ſaid company's books, and not otherwiſe, except by deviſe, which deviſe ll alſo be exhibited to the preſident and directors, and regiſtered in the company's books, before e deviſee or deviſees ſhall be entitled to draw any part of the profits from the ſaid tolls; provided, t no tranſfer whatſoever ſhall be made, except for one or more whole ſhare or ſhares, and not for rt of ſuch ſhares, and that no ſhare ſhall at any time be ſold, conveyed, tranſferred, or held in ſt, for the uſe and benefit, or in the name of another, whereby the ſaid preſident and directors, proprietors of the ſaid company, or any of them, ſhall or may be challenged, or made to anſwer ncerning any ſuch truſt, but that every perſon appearing as aforeſaid to be a proprietor ſhall, as to e others of the ſaid company, be to every intent taken abſolutely as ſuch, but as between any ſtee and the perſon for whoſe benefit any truſt ſhall be created, the common remedy may be pur-d. Shares may be tranſferred, &c.

XV. AND, whereas it hath been repreſented to this general aſſembly, that ſundry perſons are wil-g and deſirous, on account of the great public advantages, and the improvement their eſtates may eive thereby, to promote and contribute towards ſo uſeful an undertaking, and to ſubſcribe ſums

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of money, to be paid on condition the ſaid works are really completed and carried into executi but do not care to run any riſk, or deſire to have any property therein; therefore, BE IT ENACTE

Directors may receive ſubſcriptions, &c.

That the ſaid preſident and directors ſhall be and are hereby empowered to receive and take in ſu ſcriptions upon the ſaid condition, and upon the ſaid works being completed and carried into exec tion according to the true intent and meaning of this act, that it ſhall and may be lawful for the ſ preſident and directors, or a majority of them, in caſe of refuſal or neglect of payment, in the na of the company as aforeſaid, to ſue for and recover of the ſaid ſubſcribers, their heirs, executors adminiſtrators, the ſums by them reſpectively ſubſcribed, by action of debt or upon the caſe, in a court of record within this ſtate.

Capital may be increaſed, &c.

XVI. AND BE IT ENACTED, That if the ſaid capital, and the other aids already granted by t act, ſhall prove inſufficient, it ſhall and may be lawful for the ſaid company, from time to time, increaſe the ſaid capital, by the addition of ſo many more whole ſhares as ſhall be judged neceſſ by the ſaid proprietors, or a majority of them, holding at leaſt three hundred ſhares, preſent at general meeting of the ſaid company; and the ſaid preſident and directors, or a majority of the are hereby empowered and required, after giving at leaſt one month's previous notice thereof in Maryland and Virginia gazettes, to open books in the before-mentioned places for receiving and tering ſuch additional ſubſcriptions, in which the proprietors of the ſaid company for the time be ſhall and are hereby declared to have the preference of all others, for the firſt thirty days after ſaid books ſhall be opened as aforeſaid, of taking and ſubſcribing for ſo many whole ſhares as any them ſhall chooſe; and the ſaid preſident and directors are hereby required to obſerve in all other ſpects the ſame rules therein as are by this act preſcribed for receiving and adjuſting the firſt ſubſcr tions, and in like manner to return, under the hands of any three or more of them, an exact lis ſuch additional ſubſcribers, with the ſums by them reſpectively ſubſcribed, into the general courts aforeſaid, to be there recorded; and all proprietors of ſuch additional ſhares ſhall and are hereby clared to be from thenceforward incorporated into the ſaid company.

Tolls granted on condition, &c.

XVII. AND IT IS HEREBY DECLARED AND ENACTED, That the tolls herein before allowed to demanded and received at the neareſt convenient place below the mouth of the South branch, granted, and ſhall be paid on condition only, that the ſaid Patowmack company ſhall make the ri well capable of being navigated, in dry ſeaſons, by veſſels drawing one foot water, from the pl on the North branch at which a road ſhall ſet off to the Cheat river, agreeably to the determinat of the aſſemblies of Virginia and Maryland, to and through the place which may be fixed on be the mouth of the South branch for receipt of the tolls aforeſaid; but if the ſaid river is only m navigable as aforeſaid, from Fort Cumberland to and through the ſaid place below the mouth of South branch, then only two thirds of the ſaid tolls ſhall be there received; that the tolls he before allowed to be demanded and received at or near Payne's falls, are granted, and ſhall be pa ble on condition only, that the ſaid Patowmack company ſhall make the river well capable of be navigated, in dry ſeaſons, by veſſels drawing one foot water, from the ſaid place of collection the mouth of the South branch, to and through Payne's falls aforeſaid; that the tolls herein be allowed to be demanded and received at the Great falls, are granted, and ſhall be payable on cond on only, that the ſaid Patowmack company ſhall make the river well capable of being navigated dry ſeaſons, from Payne's falls to the Great falls, by veſſels drawing one foot water, and from Great falls to tide water; and ſhall, at or near the Great falls, make a cut or canal twenty-five wide and *four feet deep*, (a) with ſufficient locks, if neceſſary, each of eighty feet in length, ſixteen feet in breadth, and capable of conveying veſſels or rafts drawing four feet water at the leaſt; ſhall make, at or near the Little falls, ſuch canal and locks, if neceſſary, as will be ſufficient proper to let veſſels and rafts aforeſaid into tide water, or render the ſaid river navigable in the tural courſe.

(a) By 1785, ch. 3, any canal on one level at the Great or Little falls, ſupplied by the current of the river, containing *feet* depth of water in dry ſeaſons, is made equally available as if of *four feet*, but the ſpaces between the locks to be *four feet*

(b) By 1796, ch. 19, the breadth may be contracted to 14 feet.

Proviſo.

XVIII. AND IT IS HEREBY PROVIDED AND ENACTED, That in caſe the ſaid company ſhall not gin the ſaid work within one year after the company ſhall be formed, or if the navigation ſhall be made and improved between the Great falls and Fort Cumberland, in the manner herein be mentioned, within three years (c) after the ſaid company ſhall be formed, that then the ſaid com ny ſhall not be entitled to any benefit, privilege or advantage, under this act; and in caſe the company ſhall not complete the navigation through and from the Great falls to tide water as af

(c) This term was enlarged till 17th November, 1790, by 1786, ch. 2. Further enlarged till 1ſt January, 1795, by 1790, ch Further enlarged till 1ſt January, 1798, by 1794, ch. 29. Further enlarged by 1797, ch. 93, till 1ſt January, 1803.

aid, within ten years after the ſaid company ſhall be formed, then ſhall all the intereſt of ſaid ompany, and all preference in their favour, as to the navigation and tolls at, through and from, the reat falls to tide water, be forfeited and ceaſe.

Certain commodities free from duty, &c.

XIX. AND BE IT ENACTED, That all commodities of the produce of either of the ſaid ſtates, or f the weſtern country, which may be carried or tranſported through the ſaid locks, canals and river, ay be landed, ſold, or otherwiſe diſpoſed of, free from any other duties, impoſitions, regulations or eſtrictions, of any kind, than the like commodities of the produce of the ſtate in which the ſame ay happen to be ſo landed, ſold, ſhipped or diſpoſed of.

State to ſubſcribe, &c.

XX. AND, to encourage and promote the ſaid undertaking, BE IT ENACTED, That if the ſtate of irginia ſhall ſubſcribe fifty ſhares, in ſuch caſe the treaſurer of the weſtern ſhore be authoriſed and irected to ſubſcribe, in behalf of this ſtate, a like number of ſhares, and the money neceſſary to be aid in conſequence of ſuch ſubſcription, ſhall be paid by this ſtate; and the treaſurer of the weſtern ore for the time being ſhall have a right to vote according to ſuch ſhares, in perſon, or by proxy ppointed by him; and the ſaid treaſurer ſhall receive the proportion of the tolls aforeſaid, which all, from to time, be due to the ſtate for the ſhares aforeſaid.

By 1795, ch. 51, the treaſurer of the weſtern ſhore is directed to ſubſcribe, in behalf of the ſtate, forty ſhares in the augmented capital of the Patowmack company, and is to have a right to vote, &c. but not till the preſident ſhall notify to him, in writing, that the whole of the reſidue of the ſaid ſhares are ſubſcribed for; the payments to be made at the times and in the proportion required of the individual ſtockholders. And by 1795, ch. 69, unleſs the preſident and directors ſhall diſpoſe of ſixty ſhares of the augmented capital for £. 160 ſterling each, they ſhall have no authority to receive from the treaſurer a ſubſcription for any part thereof, nor for any payment, but in proportion as the other ſubſcribers ſhall pay, nor till the preſident and directors ſhall certify to the treaſurer that the preceding inſtalments have been paid on every ſhare of the ſaid augmented capital.

Act of no effect, &c.

XXI. This act, and every part thereof, to be of no effect, unleſs an act ſhall be paſſed by the legiſlature of Virginia upon ſimilar principles.

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Paſſed 22d of Jan. 1785.

Supplement to the act, (a) entitled, An act to authoriſe and empower Robert Ballard, adminiſtrator of the goods and chattels, rights and credits, of Jonathan Plowman, late of Baltimore county, deceaſed, unadminiſtered by Rebecca Plowman and David Arnold, his executors at the time of his deceaſe, with the will of the ſaid Jonathan Plowman annexed. Lib. TBH. No. A. fol. 437. A Private Act.

(a) November, 1783, ch. 16.

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n ACT for the relief of Micajah Mitchell. Lib. TBH. No. A. fol. 439. A Private Act.

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n ACT for the ſale of a lot of ground in Baltimore-town, the property of Thomas Walley. Lib. TBH. No. A. fol. 439. A Private Act.

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An ACT for founding a college on the weſtern ſhore of this ſtate, and conſtituting the ſame, together with Waſhington college on the eaſtern ſhore, into one univerſity, by the name of The Univerſity of Maryland. Lib. TBH. No. A. fol. 441.

Supplements 1785, ch. 2, ch. 5.

Preamble.

WHEREAS inſtitutions for the liberal education of youth in the principles of virtue, knowledge and uſeful literature, are of the higheſt benefit to ſociety, in order to train up and perpetuate ucceſſion of able and honeſt men for diſcharging the various offices and duties of life, both civil and ligious, with uſefulneſs and reputation, and ſuch inſtitutions of learning have accordingly been omoted and encouraged by the wiſeſt and beſt regulated ſtates: And whereas it appears to this geral aſſembly, that many public ſpirited individuals, from an earneſt deſire to promote the founding college or ſeminary of learning on the weſtern ſhore of this ſtate, have ſubſcribed and procured bſcriptions to a conſiderable amount, and there is reaſon to believe that very large additions will obtained to the ſame throughout the different counties of the ſaid ſhore, if they were made capae in law to receive and apply the ſame towards founding and carrying on a college or general ſemiry of learning, with ſuch ſalutary plan, and with ſuch legiſlative aſſiſtance and direction, as the neral aſſembly might think fit; and this general aſſembly, highly approving thoſe generous exertions

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of individuals, are desirous to embrace the present favourable occasion of peace and prosperity, f making lasting provision for the encouragement and advancement of all useful knowledge and liter ture through every part of this state;

College to be established, &c.

II. BE IT ENACTED, *by the General Assembly of Maryland*, That a college or general seminary learning, by the name of Saint-John's, be established on the said western shore, upon the followi fundamental and inviolable principles, namely; first, the said college shall be founded and maintain for ever, upon a most liberal plan, for the benefit of youth of every religious denomination, wh shall be freely admitted to equal privileges and advantages of education, and to all the literary h nours of the college, according to their merit, without requiring or enforcing any religious or civ test, or urging their attendance upon any particular religious worship or service, other than wh they have been educated in, or have the consent and approbation of their parents or guardians attend; nor shall any preference be given in the choice of a principal, vice-principal, or other pr fessor, master or tutor, in the said college, on account of his particular religious profession, havi regard solely to his moral character and literary abilities, and other necessary qualifications to fill t place for which he shall be chosen. Secondly, there shall be a subscription carried on in the differe counties of the western shore, upon the plan on which it hath been opened, for founding the sa college; and the several subscribers shall class themselves, according to their respective inclination and for every thousand pounds current money which may be subscribed and paid, or secured to paid, into the hands of the treasurer of the western shore, by any particular class of subscribe they shall be entitled to the choice of one person as a visitor and governor of said college. Third when any of the first visitors and governors chosen by the subscribers as aforesaid shall die, or remo out of the state, or absent himself from four succeeding quarterly meetings, without such excuse plea of necessary absence as shall be deemed reasonable by a legal and just quorum of the said visito and governors, duly assembled at quarterly visitation of the said college, such quorum, so assemble shall proceed, by a new election, to fill up the place and seat of such deceased, removed, or absen ing member.

Agents appointed, &c.

III. AND BE IT FURTHER ENACTED, That the reverend Mr. John Carroll, and the reverend Wi liam Smith and Patrick Allison, doctors in divinity, Richard Sprigg, John Steret and Geor Digges, Esquires, and such other persons as they, or any two of them, may appoint in the differe counties of this shore, be agents for soliciting and receiving, and they are hereby authorised to so cit and receive, subscriptions and contributions for the said intended college and seminary of unive sal learning, of any person or persons, bodies politic and corporate, who may be willing to promo so good a design; and when any class or classes of subscribers shall have subscribed and paid, or s cured to be paid, as aforesaid, to the treasurer of the western shore, in three equal yearly payment to commence from the first day of June, seventeen hundred and eighty-five, the sum of one thousa pounds current money, and shall have lodged their original subscription papers in the hands of a one of the agents aforesaid, such agent shall take a copy of the same, and shall deposit the origi subscription lists with the said treasurer, taking his receipt for the same; and such agent shall th appoint a time and place, convenient for the said class of subscribers to meet and choose one pers as a visitor and governor of the college, agreeably to the foregoing fundamental articles, and sh cause six weeks notice of the time and place of such election to be given in the Annapolis and Bal more news-papers, and shall attend at the time and place of such election, with a complete list of t subscribers, and all persons having subscribed or contributed nine pounds or upwards, shall be en tled to vote for one person as a visitor and governor, according as he may be classed, but shall n be entitled to vote for another visitor and governor among any other class or denomination of su scribers, unless he shall have made a second subscription of nine pounds or upwards in the said cla by and with their approbation; and all persons who may be chosen visitors and governors as afor said shall be considered as agents, together with the agents above mentioned, and shall have autho ty to act in conjunction with them, or any of them, in carrying the design into execution, as fully if they had been herein and hereby nominated and appointed original agents for that purpose.

To give notice, &c.

IV. AND BE IT ENACTED, That when thirteen visitors and governors shall be chosen as aforesai the said agents, or any three or more of them, shall cause six weeks notice to be given in the new papers aforesaid, appointing a time and place for the said visitors and governors to meet and ta upon them the discharge of their trust; and the said thirteen visitors and governors, and such pe sons as may be afterwards added to their number by any new elections made as aforesaid, by su scribers of one thousand pounds current money, within three years after the first day of Jun seventeen hundred and eighty-five, and their successors, duly chosen according to the tenor her of, shall be, and are hereby declared to be, one community, corporation and body politic, to ha

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continuance for ever, by the name of The Viſitors and Governors of Saint-John's College, in the State of Maryland; and by the ſame name they ſhall have perpetual ſucceſſion; provided nevertheleſs, that the whole number of viſitors and governors of the ſaid college ſhall never at any time be more than twenty-four, nor leſs than thirteen, ſeven of whom ſhall always have their uſual reſidence within ſixteen miles of the ſaid college; and provided further, that if in three years from the firſt day of June, ſeventeen hundred and eighty-five, there ſhall not be twenty-four viſitors and governors choſen as aforeſaid by claſſes of ſubſcribers of one thouſand pounds current money each claſs, the other viſitors and governors, being not leſs than eleven, duly aſſembled at any quarterly viſitation, to be held according to the tenor of this act, ſhall proceed by election to fill up the number of twenty-four viſitors and governors, as they ſhall think moſt expedient and convenient; provided always, that ſeventeen of the ſaid viſitors and governors ſhall be reſident on the weſtern ſhore of this ſtate, but that the additional viſitors and governors (to make up and perpetuate the number of twenty-four,) may be choſen from any part of this ſtate, if they are ſuch perſons as can reaſonably undertake to attend the quarterly viſitations, and are thought capable, by their particular learning, weight and character, to advance the intereſt and reputation of the ſaid ſeminary.

Viſitors may call for ſubſcription papers, &c.

V. AND BE IT ENACTED, That the ſaid thirteen or more viſitors and governors ſhall have full power and authority to call for and receive, out of the hands of the treaſurer of the weſtern ſhore, all ſuch ſubſcription papers and monies as may have been depoſited with him, or may in anywiſe have come into his hands and keeping, for the founding and carrying on the ſaid college, and to appoint their own treaſurer, who ſhall give ſufficient ſecurity for the faithful diſcharge of his truſt, and ſhall thereafter have the care and cuſtody of all ſubſcription papers, and ſum or ſums of money that may be collected thereon, and the receiving and keeping of all outſtanding ſubſcriptions, and other monies that may be put into his hands, for the uſe of the ſaid college, ſubject to the order of the viſitors and governors of the ſame.

Fix on a place, &c.

VI. AND BE IT ENACTED, That the ſaid thirteen or more viſitors and governors ſhall, at their firſt meeting after the firſt day of June next, and before the firſt day of Auguſt, if ſo many viſitors and governors ſhould then be choſen according to the tenor of this act, fix and determine upon ſome proper place or ſituation on the ſaid weſtern ſhore for erecting the ſaid college, which determination ſhall be by a majority of the whole number of viſitors and governors ſo met, ſuch number being in the whole not leſs than thirteen; and if ſuch majority ſhall not, within the time aforeſaid, agree upon any one place or ſituation for the ſaid college, it ſhall be left for the general aſſembly of this ſtate, at their firſt enſuing ſeſſion, to determine upon the place for building the ſaid college, upon the application of any three or more of the ſaid viſitors and governors, ſetting forth, that they could not agree upon the premiſes; and a complete liſt of the ſubſcriptions for founding the ſaid college ſhall, at the ſame time, be laid before the general aſſembly; but if, on or before the firſt day of June, ſeventeen hundred and eighty-five, there ſhould not be a ſufficient number of ſubſcribers for electing and completing the whole of the ſaid thirteen viſitors and governors as aforeſaid, the number of viſitors and governors that ſhall be choſen on or before the ſaid firſt day of June, if they are ſeven or more, may fix and determine upon the place for erecting the ſaid college, provided ſeven of them ſhall agree upon any one place; and if they cannot ſo agree, they may either leave the ſame to the determination of the general aſſembly as aforeſaid, or they may call to their advice the ſix agents above named; and any four of the ſaid agents that can attend, with the ſeven or more viſitors and governors ſo choſen, may either together, by ſeven on the whole agreeing, fix and determine upon the place for building the ſaid college, as they ſhall judge moſt convenient and ſatisfactory to the majority of ſubſcribers, and beſt calculated to ſecure the ſucceſs of the deſign, or if they cannot ſo agree, the determination of the place ſhall be ſtill left to the general aſſembly, at their firſt ſeſſion enſuing the ſaid firſt day of June next; in the mean-time the ſaid agents, and the viſitors and governors ſo choſen, ſhall uſe all diligence to increaſe the number of ſubſcriptions.

By 1785, ch. 2, ſection 2, any ſeven or more viſitors and governors, if choſen on or before the firſt of March, (then next,) together with any four or more of the agents, were authoriſed to do all ſuch acts, &c. as might have been done if ſeven or more viſitors, &c. had been choſen on or before the 1ſt day of June, 1785, and by ſection 3d thereof, any nine viſitors, &c. were authoriſed to do ſuch acts, &c. as thirteen might have done if choſen before the ſaid firſt day of June.

Land granted on condition, &c.

VII. AND BE IT ENACTED, That if the city of Annapolis ſhould be fixed upon as a proper place for eſtabliſhing the ſaid intended college, this general aſſembly give and grant, and upon that condition do hereby give and grant, to the viſitors and governors of the ſaid college, by the name of The Viſitors and Governors of Saint-John's College, in the State of Maryland, and their ſucceſſors, all that four acres within the city of Annapolis, purchaſed for the uſe of the public, and conveyed on the ſecond day of October, ſeventeen hundred and forty-four, by Stephen Bordley, Eſquire, to Thomas Bladen, Eſquire, then governor, to have and to hold the ſaid four acres of land, with the appertenances,

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nances, to the ſaid viſitors and governors, and their ſucceſſors, for the only uſe, benefit and behoof of the college and ſeminary of univerſal learning for ever.

Viſitors may purchaſe land, &c.

VIII. AND BE IT ENACTED, That the ſaid viſitors and governors, and their ſucceſſors, by the ſame name, ſhall be able and capable in law to purchaſe, have and enjoy, to them and their ſucceſſors, in fee, or for any other leſs eſtate or eſtates, any lands, tenements, rents, annuities, penſions, or other hereditaments, within this ſtate, by the gift, grant, bargain, ſale, alienation, enfeofment releaſe, confirmation or deviſe, of any perſon or perſons, bodies politic or corporate, capable to make the ſame; and ſuch lands, tenements, rents, annuities, penſions, or other hereditaments, or any leſs eſtates, rights or intereſts, of or in the ſame, (excepting the ſaid public lands hereby granted,) at their pleaſure to grant, alien, ſell and transfer, in ſuch manner and form as they ſhall think meet and convenient for the furtherance of the ſaid college; and alſo that they may take and receive any ſum or ſums of money, and any kind, manner or portion, of goods and chattels, that ſhall be given, ſold or bequeathed, to them, by any perſon or perſons, bodies politic or corporate, capable to make a gift, ſale or bequeſt thereof, and employ the ſame towards erecting, ſetting up and maintaining, the ſaid college, in ſuch manner as they ſhall judge moſt neceſſary and convenient for the inſtruction, improvement and education, of youth, in the vernacular and learned languages, and generally in any kind of literature, arts and ſciences, which they ſhall think proper to be taught for training up good, uſeful and accompliſhed men, for the ſervice of their country in church and ſtate.

May ſue, &c.

IX. AND BE IT ENACTED, That the ſaid viſitors and governors, and their ſucceſſors, by the name aforeſaid, ſhall be able in law to ſue and be ſued, plead and be impleaded, in any court or courts before any judge, judges or juſtices, within this ſtate and elſewhere, in all and all manner of ſuits complaints, pleas, cauſes, matters and demands, of whatſoever kind, nature or form they be, and all and every other matter and thing therein to do, in as full and effectual a manner as any other perſon or perſons, bodies politic or corporate, within this ſtate, or any of the United States of America, in like caſes may or can do.

Have a common ſeal, &c.

X. AND BE IT ENACTED, That the ſaid viſitors and governors, and their ſucceſſors, ſhall have full power and authority to have, make and uſe, one common and public ſeal, and likewiſe one privy ſeal with ſuch devices and inſcriptions as they ſhall think proper, and to aſcertain, fix and regulate, the uſes of both ſeals, by their own laws, and the ſame ſeals, or either of them, to change, break, alter and renew, at their pleaſure.

Appoint a preſident, &c.

XI. AND BE IT ENACTED, That the ſaid viſitors and governors, and their ſucceſſors, from time to time, and at all times hereafter for ever, ſhall have full power and authority to conſtitute and appoint, in ſuch manner as they ſhall think beſt and moſt convenient, a principal and vice-principal of the ſaid college, and profeſſors, with proper tutors and aſſiſtants, for inſtructing the ſtudents and ſcholars of the ſaid ſeminary in all the liberal arts and ſciences, and in the ancient and modern tongues and languages, who ſhall be ſeverally ſtyled Profeſſors of ſuch arts, ſciences, languages or tongues, as they ſhall be nominated and appointed for, according to each particular nomination and appointment; and the ſaid principal, vice-principal and profeſſors, ſo conſtituted and appointed, from time to time, ſhall be known and diſtinguiſhed for ever as one learned body or faculty, by the name of The Principal, Vice-principal and Profeſſors, of Saint-John's College, in the State of Maryland, and by that name ſhall be capable of exerciſing ſuch powers and authorities as the viſitors and governors of the ſaid college, and their ſucceſſors, ſhall, by their ordinances, think neceſſary to delegate to them, for the inſtruction, diſcipline and government, of the ſaid ſeminary, and of all the ſtudents, ſcholars, miniſters and ſervants, belonging to the ſame; and the ſaid principal and vice-principal, profeſſors, ſtudents, ſcholars, and ſuch neceſſary miniſters and ſervants as give conſtant attendance upon the buſineſs of the college, ſhall be exempted from all rates and taxes on their ſalaries, and from all military duties, except in the caſe of an actual invaſion ſtate, and when general military law is declared.

Yearly value not to exceed a certain ſum, &c.

XII. AND BE IT ENACTED, That the clear yearly value of the meſſuages, houſes, lands, tenements, rents, annuities, or other hereditaments and real eſtate of the ſaid college and corporation ſhall not exceed nine thouſand pounds current money, to be reckoned in Spaniſh milled dollars, the preſent rate and weight; and all gifts, grants and bequeſts, to the ſaid college and corporation after the yearly value of their eſtates ſhall amount to nine thouſand pounds as aforeſaid, and all bargains and purchaſes to be made by the ſaid corporation, which may increaſe the yearly value of ſaid eſtate above or beyond the ſum aforeſaid, ſhall be abſolutely void and of none effect.

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Quarterly meetings to be held, &c.

XIII. AND BE IT ENACTED, That the ſaid viſitors and governors, and their ſucceſſors, ſhall meet at leaſt four times in every year, in ſtated quarterly meetings, to be appointed by their own ordinances, and at ſuch other times as by their ſaid ordinances they may direct, in order to examine the progreſs of the ſtudents and ſcholars in literature, to hear and determine on all complaints and appeals, and upon all matters touching the diſcipline of the ſeminary, and the good and wholeſome execution of their ordinances; in all which examinations, meetings and determinations, ſuch number of the ſaid viſitors and governors duly met, (provided they be not leſs than ſeven,) ſhall be a quorum, as the fundamental ordinances at firſt, or any time afterwards, duly enacted by a majority of the whole viſitors, ſhall fix and determine.

Majority may make ordinances, &c.

XIV. AND BE IT ENACTED, That a majority of the ſaid viſitors and governors for the time being, when duly aſſembled at any quarterly or other meeting, upon due notice given to the whole body of viſitors and governors, ſhall have full power and authority to make fundamental ordinances for the government of the ſaid college, and the inſtruction of youth, as aforeſaid, and by theſe ordinances to appoint ſuch a number of their own body, not leſs than ſeven, as they may think proper, to be a quorum for tranſacting all general and neceſſary buſineſs of the ſaid ſeminary, and making temporary rules for the government of the ſame; and alſo by the ſaid fundamental ordinances to delegate to the principal, vice-principal and profeſſors, ſuch powers and authorities as they may think beſt for the ſtanding government of the ſaid ſeminary, and of the execution of the ordinances and rules of the ſame; provided always, that they be not repugnant to the form of government, or any law of this ſtate.

Public commencements to be held, &c.

XV. AND, for animating and encouraging the ſtudents of the ſaid college to a laudable diligence, induſtry and progreſs, in uſeful literature and ſcience, BE IT ENACTED, That the ſaid viſitors and governors, and their ſucceſſors, ſhall, by a written mandate under their privy ſeal, and the hand of ſome one of the viſitors and governors to be choſen annually as their preſident, according to the ordinance to be made for that purpoſe, have full power and authority to direct the principal, vice-principal and profeſſors, to hold public commencements, either on ſtated annual days, or occaſionally, as the future ordinances of the ſaid ſeminary may direct, and at ſuch commencements to admit any of the ſtudents of in the ſaid college, or any other perſons meriting the ſame, (whoſe names ſhall be ſeverally inſerted in the ſame mandate,) to any degree or degrees in any of the faculties, arts and ſciences, and liberal profeſſions, to which perſons are uſually admitted in other colleges or univerſities in America or Europe; and it is hereby enacted, that the principal, or in caſe of his death or abſence, the vice-principal, and in caſe of the death or abſence of both, the ſenior profeſſor who may be preſent, ſhall make out and ſign with his name, diplomas, or certificates, of the admiſſion to ſuch degree or degrees, which ſhall be ſealed with the public or greater ſeal of the ſaid corporation or college, and deliver to the graduates, as honourable and perpetual teſtimonials of ſuch admiſſion; which diplomas, if thought neceſſary for doing greater honour to ſuch graduates, ſhall alſo be ſigned with the names of the different profeſſors, or as many of them as can conveniently ſign the ſame; provided always, that no ſtudent or ſtudents within the ſaid college, ſhall ever be admitted to any ſuch degree or degrees, or have their name inſerted in any mandate for a degree, until ſuch ſtudent or ſtudents have been firſt duly examined and thought worthy of the ſame, at a public examination of candidates, to be held one whole month previous to the day of commencement in the ſaid college, by and in the preſence of the ſaid viſitors and governors, or of ſuch quorum of them, not leſs than ſeven, as the ordinances of the college may authoriſe for that purpoſe, and in the preſence of any other perſons chooſing to attend the ſame; and provided further, that no perſon or perſons, excepting the ſtudents belonging to the ſaid ſeminary, ſhall ever be admitted to any honorary or other degree or degrees in the ſame, unleſs thirteen of the viſitors and governors, (of whom the principal ſhall be one,) by a mandate under their privy ſeal, and ſigned by the hands of the whole thirteen, to the principal, the vice-principal and profeſſors, directed, have ſignified their approbation and authority for the particular admiſſion of ſaid perſon to ſaid degree or degrees.

Ordinances to be laid before the aſſembly, &c.

XVI. AND BE IT ENACTED, That the ordinances which ſhall be, from time to time, made by the viſitors and governors of the ſaid college, and their ſucceſſors, with an account of their other proceedings, and of the management of the eſtate and monies committed to their truſt, ſhall, when required, be laid before the general aſſembly for their inſpection and examination; but in caſe at any time hereafter, through overſight, or otherwiſe through miſapprehenſions and miſtaken conſtructions of the powers, liberties and franchiſes, in this charter or act of incorporation granted or intended to be granted, any ordinance ſhould be made by the ſaid corporation of viſitors and governors, or any matters done and tranſacted by the corporation, contrary to the tenor thereof, it is enacted, that although all ſuch ordinances, acts and doings, ſhall in themſelves be null and void, yet they ſhall not,

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not, however, in any courts of law, or by the general aſſembly, be deemed, taken, interpreted or adjudged, into an avoidance or forfeiture of this charter and act of incorporation, but the ſame ſhall be and remain unhurt, inviolate and entire, unto the ſaid corporation of viſitors and governors, in perpetual ſucceſſion; and all their acts conformable to the powers, true intent and meaning hereof ſhall be and remain in full force and validity, the nullity and avoidance of ſuch illegal acts to the contrary notwithſtanding.

Charter available, &c.

XVII. AND BE IT ENACTED, That this charter and act of incorporation, and every part thereof, ſhall be good and available in all things in the law, according to the true intent and meaning thereof, and ſhall be conſtrued, reputed and adjudged, in all caſes, moſt favourably on the behalf and for the beſt benefit and behoof, of the ſaid viſitors and governors, and their ſucceſſors, ſo as moſt effectually to anſwer the valuable ends of this act of incorporation, towards the general advancement and promotion of uſeful knowledge, ſcience and virtue.

Viſitors to take an oath, &c.

XVIII. AND BE IT ENACTED, That no perſon ſhall act as viſitor and governor, or as principal or vice-principal, or as profeſſor, in the ſaid college, before he ſhall take the oath of fidelity and ſupport to this ſtate required by the conſtitution or by the laws of this ſtate.

Donation granted, &c.

XIX. AND, to provide a permanent fund for the further encouragement and eſtabliſhment of the ſaid college on the weſtern ſhore, BE IT ENACTED, That the ſum of one thouſand ſeven hundred and fifty pounds current money, be annually and for ever hereafter given and granted, as a donation by the public, to the uſe of the ſaid college on the weſtern ſhore, to be applied by the viſitors and governors of the ſaid college to the payment of ſalaries to the principal, profeſſors and tutors, of the ſaid college.

By 1785, ch. 5, a majority of nine or more viſitors might draw on the treaſurer for a part or the whole of ſuch annual donation, to be applied, in aid of the ſubſcriptions, towards the erection of buildings, &c.

Marriage licences.

XX. AND, as a certain and permanent fund to procure the ſaid ſum of one thouſand ſeven hundred and fifty pounds current money annually, for the uſe aforeſaid, BE IT ENACTED, That the ſum of twenty-five ſhillings current money, impoſed by the act, (a) entitled, An act concerning marriages, for every marriage licence, and hereafter to be received by the clerks of any of the counties of the weſtern ſhore, and paid by them to the treaſurer of the ſaid ſhore, agreeably to the directions of the ſaid act, ſhall remain in his hands, ſubject to the order of the viſitors and governors of the ſaid college, to be drawn according to the directions of this act.

(a) February, 1777, ch. 12.

Fines, &c.

XXI. AND BE IT ENACTED, That every fine, penalty or forfeiture, for any offence (except only for treaſon,) at common law, or by any act of aſſembly now in force, or hereafter to be made, and hereafter impoſed by the general court on the weſtern ſhore, or by any county court of that ſhore, or any judge or juſtice of either court, and every recognizance taken by the general or any county court on the weſtern ſhore, or any judge or juſtice of either of the ſaid courts, and hereafter forfeited in the ſaid general court or county court, and collected or received, ſhall be paid to the treaſurer of the weſtern ſhore, and ſhall remain in hands, ſubject to the order of the viſitors and governors of the ſaid college, to be drawn according to the directions of this act.

Ordinary licences.

XXII. AND BE IT ENACTED, That the regulations and proviſions made in the act of aſſembly, (b) entitled, An act for licenſing and regulating ordinary-keepers, paſſed at March ſeſſion, ſeventeen hundred and eighty, (except ſuch parts of the ſaid act as relate to the retailing of liquors by merchants or ſtorekeepers, or at horſe-races,) ſhall be and remain in full force for ever, as to the granting licences on the weſtern ſhore, (except in the city of Annapolis and the precincts thereof;) and the money hereafter collected for ordinary licences granted on the weſtern ſhore, and paid to the treaſurer of the ſaid ſhore, ſhall remain in his hands, ſubject to the orders of the viſitors and governors of the ſaid college, to be drawn according to the directions of this act.

(b) March, 1780, ch. 24.

Hawkers, &c.

XXIII. AND BE IT ENACTED, That every perſon carrying goods, wares or merchandiſes, for ſale, from place to place, ſhall be deemed a hawker or pedler, after the firſt day of April next, and ſhall, before they trade, barter or ſell, any goods, wares or merchandiſe, on the weſtern ſhore, take out a licence from ſome county court of the ſaid ſhore, which ſhall be renewed every year; and the ſaid county courts are hereby authoriſed and required, on application of any perſon of reputation, to grant licence to ſuch perſon to travel and trade as a hawker or pedler on the weſtern ſhore, for one

ear from the date of the ſaid licence, which licence ſhall be made out by the clerk of the court nder his hand and the ſeal of the county; and for every licence, and the renewal thereof, there all be paid ſix pounds current money to the ſheriff of the county, and five ſhillings to the clerk of he court for making out or renewing ſuch licence; and the ſeveral clerks are directed annually, on before the firſt day of October, to return to the treaſurer of the weſtern ſhore a liſt of licences ranted to hawkers and pedlers; and the ſeveral ſheriffs ſhall annually, on or before the firſt day of October, pay all money by them received for the ſaid licences to the treaſurer of the ſaid ſhore, and he ſame ſhall remain in his hands, ſubject to the orders of the viſitors and governors of the ſaid ollege, to be drawn according to this act; and if any hawker or pedler, after the firſt day of April ext, ſhall be found travelling with, and expoſing or offering for ſale, any goods, wares or merchanife, on the weſtern ſhore, without a licence obtained as aforeſaid for that purpoſe, ſuch hawker or edler ſhall, for every offence, forfeit and pay the ſum of ten pounds current money; and it is hereby declared to be the duty of every ſheriff, deputy-ſheriff and conſtable, on the weſtern ſhore, to exmine and require any perſon carrying goods from place to place for ſale, to produce a licence, and n caſe of refuſal or neglect on requeſt, to produce the ſame, to carry ſuch perſon before ſome juſtice f the peace, who ſhall take a recognizance from ſuch perſon, with ſecurity, to appear at the next ounty court; provided, that perſons travelling with linen, hemp, flax or thread, the growth and anufacture of this ſtate, and ſelling or bartering the ſame, ſhall not be deemed hawkers or pedlers ithin this act.

Penalty on perſons retailing ſpirituous liquors, &c.

XXIV. AND BE IT ENACTED, That no perſon ſhall retail any wine, rum, brandy, whiſkey, or ther diſtilled ſpirituous liquor, ſtrong beer or cider, on the weſtern ſhore, except in the city of Anapolis or the precincts thereof, without a licence for that purpoſe obtained agreeably to the directions of this act; and if any perſons ſhall retail any of the articles aforeſaid without a licence, ſuch erſon ſhall forfeit and pay ſix pounds current money for every ſuch offence; and every perſon ſelling ny of the articles aforeſaid under the quantity of ten gallons, ſhall be deemed a retailer, and no erſon ſhall retail leſs than a pint of any of the ſaid articles; provided, that nothing herein contained ſhall be deemed, conſtrued or taken, to prohibit the maker, diſtiller or brewer, of any ſpirituous iquors, beer or cider, from retailing the ſame, ſuch perſon not ſelling leſs than one quart at a ime.

Juſtices to grant licences, &c.

XXV. AND BE IT ENACTED, That the juſtices of each county on the weſtern ſhore in court tting, (a) be authoriſed and required, at their next Auguſt court, and at their Auguſt court annully for ever hereafter, to grant licences to any perſon of good reputation that they ſhall approve, o be a retailer of any of the liquors above mentioned within their county, for one year from the ime of the granting ſuch licence; and every perſon licenſed to retail ſhall, at the time of obtaining uch licence, pay for the ſame to the ſheriff of the county the ſum of three pounds current money, nd to the clerk of the county the ſum of five ſhillings like money for making out ſuch licence, which hall be made under his hand, with the ſeal of the county; and the clerk ſhall annually, on or beore the firſt day of October, tranſmit a liſt of all licences granted in his county to the treaſurer of the eſtern ſhore, and the ſheriff ſhall pay all money by him received to the ſaid treaſurer annually, on before the firſt day of October, and the ſaid monies ſhall remain in his hands, ſubject to the order f the viſitors and governors of the ſaid college, to be drawn agreeably to the directions of his act.

(a) By April, 1792, ch. 7, the chief juſtice, or any aſſociate juſtice, (within the counties where they reſpectively reſide,) may grant licences to retailers of ſpirituous liquors, to be in force till the end of the next county court after, to be paid for in proportion, and recognizances to be taken and returned; but no licence ſhall be granted to any perſon who has been refuſed by the county court.

May ſuppreſs diſorderly retailers, &c.

XXVI. AND BE IT ENACTED, That if any retailer ſhall keep a diſorderly houſe, upon complaint ade thereof to any county court on the weſtern ſhore, they may ſuppreſs ſuch retailer; and, during he receſs of the court, upon complaint made to any two of the juſtices of any county court on the aid ſhore, or upon their own obſervation of ſuch diſorderly houſe, it ſhall be lawful for them to ſuſend ſuch retailer till the next county court, who may hear and finally determine on the conduct of uch retailer, and either entirely ſuppreſs or permit the continuation of ſuch retailer; and if any etailer, ſuſpended as aforeſaid, ſhall preſume, during ſuch ſuſpenſion, to retail, he ſhall forfeit ſixty hillings current money for every ſuch offence.

Sealed meaſures only to be uſed, &c.

XXVII. AND BE IT ENACTED, That every licenſed retailer ſhall ſell only by ſealed meaſures, except bottled cider, perry and ſtrong beer, of the produce of this ſtate,) and every retailer, who hall neglect to keep a ſealed gallon, quart and pint meaſure, or who ſhall refuſe or neglect to ſell by he ſame, ſhall forfeit and pay twenty ſhillings current money for every refuſal or neglect, to the

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party grieved; and it ſhall be lawful for any juſtice or conſtable, on complaint, to enter into t houſe of any retailer, and there call for and inſpect the meaſures uſed by ſuch retailer.

Merchants, &c. not to ſell leſs than ten gallons, &c.

XXVIII. AND BE IT ENACTED, That any thing in this act ſhall not prohibit any merchant, perſon keeping ſtore for the ſale of merchandiſe, to ſell any wine, rum, brandy, whiſkey, or oth diſtilled ſpirituous liquors, not leſs than ten gallons, ſo that ſuch liquor, or any part thereof, not drank in the houſe or ſtore, and prohibit any perſon, his agent or clerk, or other manager, to ſ or ſupply any ſuch liquor, not leſs than one pint at the ſame time, to tradeſmen, labourers or othe hired or employed by ſuch perſon, or his agent or clerk, or other manager.

Retailers not to ſell on Sundays, &c.

XXIX. AND BE IT ENACTED, That it ſhall not be lawful for any retailer to ſell or barter a ſuch ſpirituous liquor between the hours of eleven o'clock of every Saturday night, and five o'clo at the Monday morning thereafter, under the penalty of forty ſhillings current money for eve ſuch offence.

Licence may be granted at any court, &c.

XXX. AND BE IT ENACTED, That any perſon, not having before had a licence to retail may, any other court other than Auguſt court, have licence granted, if the county court ſhall approve, continue no longer than the Auguſt court following, when it ſhall determine, and may be renew for taking which licence the retailer ſhall pay in proportion to the time between the time of obta ing ſuch licence and the court aforeſaid.

Retailers to enter into recognizance, &c.

XXXI. AND BE IT ENACTED, That every perſon applying for licence to retail ſhall, at the ti of granting the ſame, enter into recognizance to the ſtate, in the ſum of one hundred pounds c rent money, with two ſufficient ſecurities, conditioned, that if the perſon obtaining ſuch lice ſhall well and truly obſerve, perform and keep, the ſeveral matters and things required by this a and in every reſpect conform thereto, then the ſaid recognizance to be void, otherwiſe of force.

Perſons not to ſell at horſe-races without licence, &c.

XXXII. AND BE IT ENACTED, That no perſon ſhall ſell or barter any wine, rum, brandy, wh key, or other diſtilled ſpirituous liquors, ſtrong beer or cider, on the weſtern ſhore, at any horſe-ra without a licence for that purpoſe obtained, under the penalty of twenty pounds for every offen and any perſon deſirous to obtain licence for the ſelling ſuch liquors at any horſe-race, may apply any juſtice of the peace, and if he approves of ſuch perſon, he may direct the clerk of county grant licence to ſuch perſon to ſell any ſuch liquors at the horſe-race ſpecified in ſuch licence, on obtaining ſuch licence there ſhall be paid to the clerk the ſum of twenty ſhillings current mon to be by him paid to the ſheriff of the county, and two ſhillings and ſix-pence to the clerk for trouble, and the clerk ſhall annually, on or before the firſt day of October, tranſmit a liſt of all ſ licences granted in his county to the treaſurer of the weſtern ſhore, and the ſheriff ſhall pay all ney by him received to the ſaid treaſurer annually, on or before the firſt day of October, and ſaid money ſhall remain in his hands, ſubject to the orders of the viſitors and governors of the college, to be drawn according to this act.

Colleges to be one univerſity, &c.

XXXIII. AND, whereas a college hath been founded on the eaſtern ſhore of this ſtate, by name of Waſhington College, in honourable and perpetual memory of the late illuſtrious and tuous commander in chief of the armies of the United States: And whereas it appears to this ge ral aſſembly, that the connexion between the two ſhores will be greatly increaſed by uniformity manners and joint efforts for the advancement of literature, under one ſupreme legiſlative and vi torial juriſdiction; BE IT FURTHER ENACTED, That the ſaid two colleges, viz. Waſhington coll on the eaſtern ſhore, and Saint-John's college on the weſtern ſhore, ſhall be, and they are hereby clared to be, one univerſity, by the name of The Univerſity of Maryland, whereof the governo the ſtate for the time being ſhall be chancellor, and the principal of one of the ſaid colleges ſhall vice-chancellor, either by ſeniority or election, according to ſuch rule or by-law of the univerſity may afterwards be made in that caſe.

Chancellor to call a meeting, &c.

XXXIV. AND, for eſtabliſhing a body of by-laws or ordinances for the general government well ordering the affairs of the ſaid univerſity, with the mutual conſent, advice and authority, the ſaid two colleges, BE IT ENACTED, That as ſoon as conveniently may be after thirteen viſit and governors ſhall be choſen for Saint-John's college, and ſhall have duly taken upon them the charge of their truſt, the chancellor ſhall call a meeting of the viſitors and governors of the ſaid colleges, or a repreſentation of at leaſt ſeven viſitors and governors from each of each of them, two members of the faculty of each of them, (the principal when there is any being one,) which me ing ſhall be ſtyled The Convocation of the Univerſity of Maryland, and at their firſt meeting, (to

contin

ontinued on adjournment by the chancellor,) ſhall frame a body of by-laws or ordinances, the ob- CHAP. XXXVII.
ect of which ſhall be the general government of the univerſity, ſo far as may relate to uniformity of anners and literature in the ſaid colleges, the receiving, hearing and determining appeals from any the members, ſtudents or ſcholars, of either of them, the conferring the higher degrees and ho- ours of the univerſity; which by-laws, ſo formed and paſſed by the ſaid convocation, ſhall be bind- g, provided the ſame be not regugnant to the conſtitution or laws of this ſtate, or in any manner bridge or deſtroy the ſeparate and diſtinct rights, franchiſes and immunities, of either of the ſaid olleges, as expreſſed, declared and granted, in their reſpective charters or acts of incorporation.

XXXV. AND BE IT ENACTED, That when a body of by-laws or ordinances of the government To be held al-
this univerſity ſhall be eſtabliſhed as aforeſaid, all future and annual meetings of the convocation ternately, &c.
the univerſity ſhall be held alternately on the commencement day in each college, and the chan- ellor, when preſent, ſhall preſide at all ſuch meetings, and may alſo call a ſpecial meeting when he ay judge the ſame to be neceſſary, which ſpecial meetings ſhall likewiſe be held alternately in each ollege; and in the abſence of the chancellor, the vice-chancellor ſhall preſide in his ſtead; and ikewiſe when the chancellor ſhall be preſent, the vice-chancellor ſhall, by his direction, preſide in ll ſcholaſtic exerciſes and examinations, and in conferring the literary honours of the univerſity; nd in the abſence of the vice-chancellor, his place ſhall be ſupplied by ſuch member of the faculty either college, as the laws in that caſe to be made ſhall provide, or by the election of a vice- ancellor for that time.

XXXVI. AND BE IT ENACTED, That the viſitors and governors of the ſaid college ſhall lay be- Account to be
re the general aſſembly, at its annual meeting in November, (or oftener if required,) an account laid before the
writing of all monies by them received in virtue of this act, and of the ſalaries by them paid out aſſembly, &c.
the ſaid monies, and to whom paid; and after payment of the ſaid ſum of ſeventeen hundred and ty pounds current money, the balance (if any) ſhall remain in the treaſury, ſubject to the diſpoſal the general aſſembly.

CHAP. XXXVIII.

n ACT for the relief of Robert Long, of Baltimore county. Lib. TBH. No. A. fol. 458. A Private Act. Paſſed 22d of Jan. 1785.

CHAP. XXXIX.

n ACT to empower the commiſſioners of Baltimore-town to make a correct ſurvey of the ſaid town, and for other purpoſes therein mentioned. Lib. TBH. No. A. fol. 459.

Supplementary and other acts 1794, ch. 62, 1796, ch. 45.

WHEREAS a number of the inhabitants of Baltimore-town, by their petition to this general Preamble.
aſſembly have ſet forth, that great inconveniencies have ariſen from the uncertain location of lots in ſaid town, the boundaries thereof in many inſtances not being to be found, and that ſtill ater confuſion is apprehended from the variation of the compaſs, unleſs the commiſſioners of the town are authoriſed to make a general and correct ſurvey of the whole town, and eſtabliſh per- nent boundaries throughout the ſame to perpetuate the true location thereof: And whereas it is ther repreſented, that a number of the inhabitants of the ſaid town have made and extended eral parcels of ground out of the waters of Patapſco river, adjoining the ſaid town, under an act aſſembly for that purpoſe, which they are deſirous ſhould be ſurveyed and laid off into ſtreets, es, alleys and canals, and added to and made part of Baltimore-town: And whereas alſo, the eets, lanes and alleys, in ſeveral of the additions made to the ſaid town, have heretofore been ſo ligently laid out, as not to correſpond with the other ſtreets throughout the ſaid town; it is refore prayed, that the commiſſioners of Baltimore-town be veſted with powers to remedy the evances complained of;

II. BE IT ENACTED, *by the General Aſſembly of Maryland*, That the commiſſioners of Baltimore- Survey to be
wn aforeſaid, or a major part of them, be authoriſed and required, after giving ſix weeks notice made, &c.
the Baltimore news-papers of the time, place and intentions, of their meeting, and after having en an oath before ſome magiſtrate of Baltimore county, to be recorded with their proceedings, ll and truly to execute the truſt repoſed in them by this act, without prejudice, partiality or favour, cauſe a correct and general ſurvey of the ſeveral additions throughout the ſaid town to be made, cording to the original location thereof, to be aſcertained by proof of ſuch location where it e be had, or by a proper allowance for the variation of the compaſs, where proof of the original cation cannot be had, having a regard in the calculation of the variation of the compaſs to any

CHAP. XXXIX.

proof which may be made to parts of ſuch original location, ſo as to make the lines upon which a allowance for the variation may be made correſpondent as nearly as may be with the parts proved a aforeſaid, and to eſtabliſh and fix permanent boundaries of ſtone throughout the ſame, with prope marks and devices thereon, to aſcertain in future the true location of the ſeveral lots in every par of the ſaid town, and to cauſe a correct plot, with proper explanations of the ſame to be made, to gether with the proof by them taken, and the reaſons which governed them in fixing ſuch boundarie where no proof of the original running can be obtained, and returned to the town clerk, who hereby directed to enter the ſame on record among the records of ſaid town.

Proviſo.

III. PROVIDED ALWAYS, AND BE IT ENACTED, That if any perſon ſhall apprehend himſelf a grieved by the determination of the ſaid commiſſioners in the premiſes, ſuch perſon may, with three months next after ſuch determinations, appeal from the ſame to the general court of the weſte ſhore, which court ſhall have full power and authority to hear and determine ſuch appeal, and make all orders neceſſary for obtaining full information upon the ſubject of diſpute, and ſhall he ſuch appeal at the firſt court, if it can be done with juſtice to the parties, and the judgment and d termination of the ſaid court ſhall be final, and being certified to the commiſſioners aforeſaid, the ſhall act in conformity thereto in completing their ſurvey and location aforeſaid.

Streets, &c. to be laid out anew, &c.

IV. AND BE IT ENACTED, That the commiſſioners aforeſaid, or a major part of them, are herel empowered and required, on application of the proprietors of any lots throughout the ſaid town, ſurvey, alter, amend and lay out anew, the ſtreets, lanes and alleys, running through the ſam with the conſent of the proprietors thereof, or their guardians, firſt had and obtained, and at the own expence, ſo as to make the ſtreets, lanes and alleys, throughout every part of the ſaid town, correſpond and communicate with each other as near as may be; provided always, that the ſtreet lanes and alleys, when altered, amended and laid out anew, ſhall not run through the ground of a perſon whatſoever, without the conſent of ſuch perſon firſt obtained.

Ground to be ſurveyed, &c.

V. AND BE IT ENACTED, That the commiſſioners aforeſaid, or a major part of them, a authoriſed and required, on application of any perſon or perſons who already have, or hereaft ſhall make and extend ground and other improvements into the waters of Patapſco river, to cau the ſame to be ſurveyed, and laid out into ſtreets, lanes, alleys, docks and canals, with conſent the proprietors thereof, and at their expence, and annex to Baltimore-town, and correct plots a certificates thereof to return to the town clerk, and have the ſame entered on record, there to r main as evidence to perpetuate the ſame.

This ſection is repealed by 1794, ch. 62, and the commiſſioners are thereby authoriſed, on application of the proprietors a majority of them,) of any wharf or parcel of ground, made and extended into Patapſco from any lot, to cauſe the ſame to laid out into ſtreets, lanes, lots and alleys, &c.

Lots, &c. to be part of Baltimore-town, &c.

VI. AND BE IT ENACTED, That the lots of ground, ſtreets, lanes and alleys, when ſo alter amended and laid out anew, and the ground and other improvements made and extended out of t water, when ſurveyed and laid off according to the directions of this act, ſhall be, and they are he by declared to be, part of Baltimore-town aforeſaid, and ſhall have all the immunities, privileges a advantages, the reſt of the ſaid town hath, or by former laws ought to have, as fully and as amply if the ſame had been originally included therein; ſaving to all perſons whatſoever their right of p perty in any of the ſaid ground ſo made and extended as aforeſaid, and in the lots or land from whi ſuch ground may be made and extended, and the right to make and extend ground as aforeſaid, a the right to the water, or land covered by water, which rights are not meant or intended in a manner to be interfered with, determined on, or affected by this act.

Canal to be opened, &c.

VII. AND, whereas a number of inhabitants of the ſaid town are deſirous of opening and cutti a canal from the head of the baſon to the waters of the ferry branch of Patapſco river, whi would greatly facilitate the commercial intercourſe between the country and the different parts the ſaid town, BE IT ENACTED, That John Eager Howard, Thomas Ruſſell, William Goodwin, W liam Hammond and David Williamſon, (a) of Baltimore-town, or a majority of them, by and wi the conſent of a majority of the commiſſioners of ſaid town, and with the approbation and conſe of the proprietors of the ground through which the ſame ſhall paſs, are hereby authoriſed and p mitted to make and open a canal, not to exceed forty feet wide, and of a convenient and reaſona depth, from the upper part of the baſon of Baltimore-town to the ferry branch of Patapſco riv beginning the ſame on the baſon at the ſtreet called Foreſt-ſtreet, and running the ſame in a con nient direction to the waters of the ferry branch; which ſaid canal, when made and finiſhed, ſh

(a) By 1796, ch. 45, other perſons are appointed to carry the proviſions of this act into execution.

be, and is hereby declared for ever hereafter to be, a highway, and free for the paſſage of boats belonging to any perſons whatſoever to paſs and repaſs through the ſame, without any toll or tax demanded for the ſame by the proprietors of the ground through which the ſame ſhall paſs; provided that the proprietors of the ground through which the ſaid canal ſhall paſs, and thoſe intereſted in the ſaid canal, ſhall make and conſtantly keep in repair a good and ſufficient bridge over the ſaid canal, at ſuch place as is moſt convenient and proper for a road or way from the lower ferry of Patapſco river to Baltimore-town, to be determined by the commiſſioners of the ſaid town, or a majority of them, for travellers and others ſecurely and conveniently to paſs; and if the ſaid proprietors, and thoſe who ſhall be intereſted and engaged in cutting the ſaid canal, ſhall neglect to make ſuch bridge, or to keep it in proper repair after made, then the juſtices of Baltimore county are hereby authoriſed and empowered to aſſeſs and levy ſuch ſum or ſums of money upon the ſaid proprietors of land, and others intereſted in the ſaid canal, as will be ſufficient for the purpoſes aforeſaid; and every proprietor and perſon intereſted in the cutting the ſaid canal, ſhall, before the ſame is begun, enter his or her name as a proprietor or perſon intereſted, in a liſt of ſuch perſons to be kept by the commiſſioners of Baltimore-town, which liſt, when completed, ſhall be by the ſaid commiſſioners returned to the clerk of Baltimore county court, by him to be recorded. CHAP. XXXIX.

VIII. AND BE IT ENACTED, That the commiſſioners of the ſaid town ſhall be allowed, for their trouble in cauſing the ſaid town to be generally and correctly ſurveyed, and the bounds thereof perpetuated and eſtabliſhed, the ſum of ſeven ſhillings and ſix-pence current money per day each, for each and every day the ſaid commiſſioners ſhall be employed in the exerciſe thereof; and they are alſo hereby empowered and directed to hire a clerk, to enter up all their proceedings, from time to time, fairly on record, for ſuch ſalary as they may think proper to give, not exceeding fifty pounds current money *per annum*. Commiſſioners allowance, &c.

IX. AND BE IT ENACTED, That ſuch part of the ſtreet tax as ſhall be ſufficient for the purpoſe, be appropriated by the commiſſioners of Baltimore-town to defray the expences incurred in the execution of this act, and the ſaid commiſſioners are hereby empowered to draw on the collector of the ſaid tax for the amount thereof. Part of tax appropriated, &c.

See the act of 1796, ch. 68, by which the powers given by this and other acts are transferred to the corporation of the city of Baltimore.

CHAP. XL.

An ACT to authoriſe the veſtry and churchwardens of Coventry pariſh to receive the money therein mentioned. Lib. TBH. No. A. fol. 463. Paſſed 22d of Jan. 1785.

CHAP. XLI.

An ACT for the benefit of Eleanor and Charlotte Frazer. Lib. TBH. No. A. fol. 464. A Private Act.

CHAP. XLII.

An ACT to enable the juſtices of Frederick county court for the time being to aſſeſs on the inhabitants of the ſaid county a ſum of money for the uſes therein mentioned. Lib. TBH. No. A. fol. 465.

CHAP. XLIII.

An ACT to authoriſe and empower the ſecurities of Thomas Williams, deceaſed, late collector of the tax and public dues in Prince-George's county, to complete the ſame. Lib. TBH. No. A. fol. 467.

WHEREAS it hath been repreſented to this general aſſembly, by the memorial of Thomas Harwood, the third, John Smith Brookes, Rinaldo Johnſon, Eliſha Berry, John Waring and Richard Smith, of Prince-George's county, that they were appointed at the laſt ſeſſion of aſſembly collectors of the reſidue of the tax and public dues in Prince-George's county aforeſaid, in the room of Thomas Williams, then collector, which remained due and unſatisfied in the county aforeſaid for the years one thouſand ſeven hundred and eighty, one thouſand ſeven hundred and eighty-one, and one thouſand ſeven hundred and eighty-two: And whereas it is found that the act, entitled, An act for the relief of the ſecurities of Thomas Williams, late collector of the public tax for Prince-George's county, is inadequate to the purpoſes for which it was intended; for the remedy whereof, Preamble.

II. BE IT ENACTED, *by the General Aſſembly of Maryland*, That Thomas Harwood, the third, John Smith Brookes, Rinaldo Johnſon, Eliſha Berry, John Waring and Richard Smith, of Prince-George's county, T. Harwood, &c. continued, &c.

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county, or a majority of them, be and are hereby continued collectors of the reſidue of the tax and public dues in ſaid county for the years ſeventeen hundred and eighty, ſeventeen hundred and eighty-one, and ſeventeen hundred and eighty-two, now remaining due and unſatisfied in the county aforeſaid, in the room of Thomas Williams, deceaſed, late collector thereof.

Their power.

III. AND BE IT ENACTED, That the ſaid Thomas Harwood, the third, John Smith Brookes, Rinaldo Johnſon, Eliſha Berry, John Waring and Richard Smith, or a majority of them, be and are hereby fully authoriſed and empowered to receive and collect, by execution or otherwiſe, all arrears and balances due the ſaid Thomas Williams as collector of the county aforeſaid, in as full and ample a manner as the ſaid Thomas Williams might or could have received and collected the ſame had he been yet living and collector, hereby giving to the ſaid Thomas Harwood, the third, John Smith Brookes, Rinaldo Johnſon, Eliſha Berry, John Waring and Richard Smith, or a majority of them, the whole power and authority which the ſaid Thomas Williams had and poſſeſſed under the laws of the ſtate as collector of the tax and public dues of Prince-George's county aforeſaid.

May call on deputies, &c.

IV. AND BE IT ENACTED, That the ſaid Thomas Harwood, the third, John Smith Brookes, Rinaldo Johnſon, Eliſha Berry, John Waring and Richard Smith, or a majority of them, are hereby veſted with full power and authority to call on all deputies, agents, receivers, collectors, or perſons ſo appointed by the ſaid Thomas Williams, and acting as ſuch, for a final ſettlement of his or their books and accounts with the ſaid Thomas Williams, which ſaid deputies, agents, receivers, collectors, or perſons acting as ſuch, or who were in any manner concerned in the receipt or collection of the public dues and taxes aforeſaid, during the ſeveral years aforeſaid, or afterwards, under the ſaid Thomas Williams, or in his name, or by virtue of his authority, ſhall, when he or they are thereunto required by the ſaid Thomas Harwood, the third, John Smith Brookes, Rinaldo Johnſon, Eliſha Berry, John Waring and Richard Smith, or a majority of them, reſpectively produce, ſhew, explain to, and lay before them, all books, accounts, papers, memorandums and vouchers whatſoever, of the ſaid deputy, agent, receiver, collector, or others ſo concerned as aforeſaid, and make and deliver, upon their reſpective oaths, true and perfect copies and extracts thereof to the ſaid Thomas Harwood, the third, John Smith Brookes, Rinaldo Johnſon, Eliſha Berry, John Waring and Richard Smith, or a majority of them, for the purpoſe of ſettling and adjuſting all accounts, claims and demands, relative to the arrearages aforeſaid, and to enable the ſaid Thomas Harwood, the third, John Smith Brookes, Rinaldo Johnſon, Eliſha Berry, John Waring and Richard Smith, or a majority of them, to make a full and perfect collection of the public dues and taxes ariſing in the years aforeſaid, and ſtill remaining due and unſatisfied, in the county aforeſaid.

Commiſſioners to adjuſt accounts, &c.

V. AND BE IT ENACTED, That upon the neglect or refuſal of any deputy, agent, receiver, collector, or perſon ſo appointed or acting as ſuch, during the ſeveral years aforeſaid, or afterwards, under the ſaid Thomas Williams, or in his name, or by virtue of his authority, to fulfil and comply with the directions of this act, the commiſſioners of the tax for Prince-George's county be empowered, on hearing, (or default to appear on notice,) to adjuſt the accounts ſtanding between the ſaid Thomas Williams, late collector of the tax for ſaid county, and all and every of his ſaid deputies, agents, receivers, collectors, or perſons acting as ſuch, during the years aforeſaid, or ſince, and may order the balance to be paid to the ſaid Thomas Harwood, the third, John Smith Brookes, Rinaldo Johnſon, Eliſha Berry, John Waring and Richard Smith, or a majority of them, either immediately, or by a ſhort day to be limitted, and may carry ſuch order into effect by their warrant, directed to the ſheriff, to levy the ſum due in the ſame manner as by *fieri facias*, on the lands, goods or chattels, of the ſaid deputy, agent, receiver or collector, or perſon acting as ſuch during the ſeveral years aforeſaid, or afterwards, under the ſaid Thomas Williams, or by virtue of his authority, or otherwiſe, or take his or their body in execution as on a *capias ad ſatisfaciendum* in ſatisfaction thereof.

Further time allowed, &c.

VI. AND BE IT ENACTED, That the ſaid Thomas Harwood, the third, John Smith Brookes, Rinaldo Johnſon, Eliſha Berry, John Waring and Richard Smith, ſhall be and are hereby allowed a further time, and until the firſt day of November next, for the purpoſe of making the collections aforeſaid, before which time no proceſs ſhall iſſue againſt them in conſequence thereof; and that the ſaid Thomas Harwood, the third, John Smith Brookes, Rinaldo Johnſon, Eliſha Berry, John Waring and Richard Smith, or a majority of them, ſhall have and be allowed the ſame commiſſions upon the collection of the reſidue of ſaid taxes, where the ſaid Thomas Williams has not already been allowed commiſſion on the ſettlement of his accounts by the commiſſioners of the tax for Prince-George's county aforeſaid, for their trouble and expence of making the ſame, to which the ſaid Thomas Williams was or would have been entitled to as collector by the laws of this ſtate, had he made the collection thereof.

VII. AND

CHAP. XLIII.

VII. AND BE IT ENACTED, That the commiſſioners of the tax for the county aforeſaid be authoriſed and empowered, upon application of the ſaid ſecurities, to ſettle and adjuſt the accounts of the ſaid collectors hereby appointed, and, if neceſſary, to make them ſuch allowances thereon as may appear juſt and reaſonable for paupers and inſolvents, and give the ſaid collectors a certificate thereof, containing the amount of ſuch allowance, for which amount the treaſurer of the weſtern ſhore ſhall credit the account of the ſaid Thomas Williams, deceaſed; provided, that the ſaid commiſſioners ſhall not allow the ſaid collectors any deduction as aforeſaid, except only in ſuch caſes where it ſhall appear to them that the ſaid Thomas Williams, during his life-time, or the collectors, have uſed all lawful means for levying and collecting the ſame

Commiſſioners to ſettle with collectors, &c.

VIII. AND BE IT ENACTED, That an act, entitled, An act for the relief of the ſecurities of Thomas Williams, late collector of the tax for Prince-George's county, paſſed at a ſeſſion of aſſembly begun and held at the city of Annapolis the third day of November, ſeventeen hundred and eighty-three, be and is hereby repealed.

An act repealed.

CHAP. XLIV.

An ACT to enable James Hunt to convey to William Deakins, junior, a lot of ground called Church of Scotland Lot, in exchange for other land. Lib. TBH. No. A. fol. 470. A Private Act.

Paſſed 22d of Jan. 1785.

CHAP. XLV.

An ACT for an addition to George-town, in Montgomery county. Lib. TBH. No. A. fol. 472.

Preamble.

WHEREAS Robert Peters, William Deakins, junior, Charles Beatty and John Threlkeld, of George-town, by their humble petition to this general aſſembly have ſet forth, that they have agreed to lay out, as an addition to George-town, twenty acres and eighteen thirty ſeconds of an acre of ground, being part of the following tracts of land, to wit: One acre and twenty-ſix thirty ſeconds of an acre, part of a tract of land called Frogland, the property of the aforeſaid Charles Beatty, two acres and one thirty ſecond of an acre, part of a tract of land called Diſcovery, the property of the aforeſaid Robert Peters, thirteen acres and twenty-nine thirty ſeconds of an acre, part of a tract of land called Conjuror's Diſappointment, the property of the aforeſaid William Deakins, junior, and three acres twenty-ſix thirty ſeconds of an acre, part of a tract of lands called the Reſurvey on Salop, the property of the aforeſaid John Threlkeld, into ſixty-five lots, and a ſufficient number of ſtreets, as appears by the plot of the actual ſurvey thereof, made by the ſaid Francis Deakins on the firſt day of September, in the year of our lord one thouſand ſeven hundred and eighty-four; and the ſaid Robert Peters, John Threlkeld, William Deakins, junior, and Charles Beatty, have prayed that an act may paſs confirming the ſame as an addition to George-town, and eſtabliſhing the boundaries thereof as now laid down by the ſurvey and plot aforeſaid, and granting to thoſe who ſhall be proprietors of the lots fronting on the north ſide of Water-ſtreet, the excluſive right to the ground and water on the ſouth ſide thereof, for the ſole purpoſe of making wharfs, without being allowed to erect any buildings thereon, and veſting a power in the commiſſioners of George-town to improve, by wharfs for the public good, the land and water fronting Frederick, Fayette and Gay-ſtreets; and it appearing to this general aſſembly, that extending the limits of the ſaid town will greatly contribute to the promotion of the trade and commerce thereof, and be of general utility; therefore.

Land to be part of George-town, &c.

II. BE IT ENACTED, *by the General Aſſembly of Maryland*, That the ſaid parts of the tracts of land herein before mentioned and deſcribed, and laid out into ſixty-five lots and a ſufficient number of ſtreets, as delineated on the plot of the ſurvey thereof, made by Francis Deakins on the firſt day of September, in the year of our Lord one thouſand ſeven hundred and eighty-four, be, and they are hereby declared to be, part of George-town aforeſaid, and ſhall have, poſſeſs, be entitled to and enjoy, to all and every intent and purpoſe, all the immunities, privileges and advantages, which do or ſhall appertain to the ſaid town, as fully and amply, in every reſpect, as if the ſame had been originally part thereof and included therein; and the ſaid lots and ſtreets, ſurveyed and laid out in manner herein before ſet forth, ſhall be and they are hereby eſtabliſhed and confirmed, according to the delineation and deſcription of the ſame on the plot of the ſurvey thereof by Francis Deakins, herein before referred to, and in all diſputes and controverſies which may or ſhall hereafter happen or ariſe reſpecting the location of the ſaid lots and ſtreets, the ſaid plot, the bounds and lines therein referred to being proved, ſhall be concluſive evidence between the parties at whoſe inſtance this act is paſſed, and all claiming under them.

III. AND

CHAP. XLV. Exclusive right given, &c.

III. AND BE IT FURTHER ENACTED, That the proprietors of the lots fronting on the north side of Water-street, shall have and enjoy the exclusive right to the ground and water on the south side of their respective lots, for the sole purpose of making wharfs, but they shall not be allowed to erect any buildings on the wharfs so to be made by them.

Commissioners to make wharfs, &c.

IV. AND BE IT FURTHER ENACTED, That it shall and may be lawful for the commissioners of George-town, or the major part of them, and they are hereby empowered, to make and erect wharfs on the ground and water fronting on Frederick, Fayette and Gay-streets, for the public good, which said wharfs shall be for the use and convenience of all vessels trading to the said town, without paying wharfage or any duty or imposition whatever, for using the same.

Plot to be taken care of, &c.

V. AND BE IT FURTHER ENACTED, That for the safe keeping and preservation of the said plot of the said addition to George-town, the same shall be deposited with the commissioners of the said town, who are hereby directed to receive the said plot, and take care thereof.

CHAP. XLVI.

Passed 22d of Jan. 1785.

A Supplement to an act, (a) entitled, An act to enable the commissioners of Baltimore-town to open and widen Hanover-lane in said town. Lib. TBH. No. A. fol. 474.

(a) November, 1783, ch. 22.

Preamble.

WHEREAS it appears by the memorial of sundry inhabitants of Baltimore-town, that the commissioners of the said town, through a misapprehension of the said act for opening and widening Hanover-lane, have not assessed the damages accruing to individuals thereby upon each individual benefitted by opening and widening the said lane, agreeable to the true intent and meaning of the said act; therefore,

Damage to be ascertained, &c.

II. BE IT ENACTED, *by the General Assembly of Maryland*, That the said commissioners, or a major part of them, on giving twenty days notice in the Baltimore news-papers, shall meet together at a time and place in the said notice specified, and shall, after duly examining and considering all circumstances, ascertain and determine the damages that each individual may have sustained by opening and widening the said lane, and shall return the amount of the same in like manner as in the former act directed.

Money to be assessed, &c.

III. AND BE IT ENACTED, That the said commissioners, or a major part of them, at the time and place aforesaid, on a due inquiry into all circumstances, shall assess and ascertain what sum or sums each individual interested and benefitted, whether the property of the said individual situate on Hanover-lane, or that part of Hanover-street to the southward of the said lane, shall pay and satisfy, and return the names of all the persons, together with the sums of money each shall be obliged to pay, in the same manner as by the original act directed, and that the said sums of money so assessed, may be recovered in like manner as in the original act directed.

Jury may be summoned, &c.

IV. AND BE IT ENACTED, That the said commissioners, if they shall judge proper, may summon a jury of twelve freeholders no way interested in the question, to assess the damages sustained by any individual by opening and widening the said lane, and also to ascertain and determine the sum or sums which any or every person interested therein, and benefitted thereby, shall pay, in satisfaction of the said damages; which said sums, if ascertained by a jury as aforesaid, shall be returned by the commissioners, and be recovered in the same manner as before directed.

Part of an act repealed.

V. AND BE IT ENACTED, That every part of the aforesaid act inconsistent herewith, shall be in all intents and purposes repealed.

See the act of 1796, ch. 68, by which the powers given by this and other acts are transferred to the corporation of the city of Baltimore.

CHAP. XLVII.

An ACT for the benefit of Anne Stevenson. Lib. TBH. No. A. fol. 475. A Private Act.

CHAP. XLVIII.

An ACT for the relief of Benjamin Garnett. Lib. TBH. No. A. fol. 476. A Private Act.

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CHAP. XLIX.

Passed 22d of Jan. 1785.

An ACT to enable the corporation of the city of Annapolis to lay a tax on property within the said city and the precincts, to regulate and license ordinaries, and retailers of spirituous liquors, within the said city and the precincts thereof. Lib. TBH. No. A. fol. 477.

Preamble.

WHEREAS it is represented to this general assembly, that the annual ordinary expences of the corporation of the city of Annapolis, for the support of the mayor's court and its proper officers, and the necessary charge of repairing the streets, require considerable sums of money, and the funds belonging to the said city are very trivial, and greatly inadequate to the annual expences thereof; and it is also represented, that the dock of this city requires immediately to be cleaned, and that there is no market-house in the said city;

Corporation may lay a tax, &c.

II. BE IT ENACTED, *by the General Assembly of Maryland*, That the corporation of the said city of Annapolis, and their successors, be and they are hereby authorised to lay a tax, not exceeding one shilling (a) current money in any one year, for every hundred pounds of property within the said city and the precincts thereof, as the said corporation may think proper.

(a) They may lay a tax of two shillings and six-pence in any one year, by 1797, ch. 115, which is to continue to 1st November, 1800, &c.

Regulate ordinaries, &c.

III. AND BE IT ENACTED, That the power of regulating ordinaries and retailers of spirituous liquors within the said city and precincts thereof, shall be hereafter vested in the said corporation and their successors, and the mayor's court of the said city only shall hereafter grant licences to ordinary-keepers and retailers of spirituous liquors within the said city and its precincts, under such regulations and rules as the said corporation and their successors may make; and the said corporation, and their successors, may reserve and lay such fine on every licence granted by the said mayor's court to any ordinary-keeper or retailer of spirituous liquors within the said city and its precincts.

How money is to be appropriated, &c.

IV. AND BE IT ENACTED, That the monies arising from said tax, and from the fines, and for licences to ordinary-keepers and other retailers of spirituous liquors, levied or imposed in virtue of this act, shall be appropriated and applied by the corporation of the said city to defray the usual and ordinary expences thereof, and the amending and keeping in repair the streets of the said city, and the cleaning out the dock, and the building a market-house, and to such other uses as the said corporation may judge most for the benefit and advantage of the said city.

Duration.

V. This act to continue and be in force for and during the term of ten years, and until the end of the next session of assembly which shall happen thereafter.

Continued by 1795, ch. 83, to 30th January, 1798. Expired. Revived and continued, (except where altered by other acts,) by 1798, ch. 10, to the end of the session, and all acts done under it confirmed, and by 1798, ch. 71, continued to 30th October, 1805, &c.

CHAP. L.

An ACT for the relief of Peregrine Fitzhugh and Elizabeth his wife. Lib. TBH. No. A. fol. 478. A Private Act.

CHAP. LI.

A Bill, entitled, An act to enable Sarah Parran to dispose of certain lands for the purpose therein mentioned. Lib. TBH. No. A. fol. 480. A Private Act.

CHAP. LII.

An ACT for the relief of the securities of Simon Nichols, late collector of the public tax for Montgomery county. Lib. TBH. No. A. fol. 481. A Private Act.

CHAP. LIII.

An ACT for laying out a road to and from the millseat of Nicholas Randall on the main falls of Patapsco, Anne-Arundel and Baltimore counties. Lib. TBH. No. A. fol. 486.

Preamble.

WHEREAS it appears, by the petition of Nicholas Randall, of Baltimore county, that he labours under great inconvenience for want of a waggon road opened to and from his mill on the main falls of Patapsco, lying in Anne-Arundel county, beginning at or near Isaac Har-

CHAP. LIII.

lin's, on the road leading to Ellicott's upper mill, by his said millseat, to intersect the road leadi by Ellicott's lower mill at or near John Pierpoint's smith shop, in Baltimore county aforesaid: A whereas a number of the inhabitants of Anne-Arundel and Baltimore counties aforesaid have recom mended the above road to be made, and it appearing reasonable to grant the prayer of said petitione therefore,

A road to be laid out, &c.

II. BE IT ENACTED, *by the General Assembly of Maryland*, That Robert Davis, Nicholas Ridge Warfield and Elam Baily, or any two of them, be and are hereby authorised and required, as com missioners, to lay out a waggon road, not exceeding forty feet wide, beginning at the road leading Ellicott's upper mill, at or near Isaac Harlin's, in Anne-Arundel county aforesaid, and leading said Randall's millseat to intersect the road leading from Ellicott's lower mill to Baltimore-town, or near John Pierpoint's smith shop, in Baltimore county aforesaid; which said road, when mad shall be a public road.

Damage to be ascertained, &c.

III. AND BE IT ENACTED, That the commissioners aforesaid shall ascertain and value what dama such road running through any person's land as aforesaid shall amount to, which shall be paid to suc persons damaged as aforesaid by the said Nicholas Randall.

Not to go thro' orchards, &c.

IV. AND BE IT ENACTED, That the said road shall not go through any orchard, garden or me dow, unless with the approbation and consent of the owner.

CHAP. LIV.

An ACT for altering the time of holding the courts in the counties therein mentioned. Lib. TBH No. A. fol. 487.

CHAP. LV.

Passed 22d of Jan. 1785.

An ACT to establish funds to secure the payment of the state deb within six years, and for the punctual payment of the annual in terest thereon. Lib. TBH. No. A. fol. 503.

Preamble.

WHEREAS justice and policy require that this state ought, on all occasions, most inviolably a religiously to preserve its plighted faith and honour, and to use every means in its ability a power to comply with its engagements to its creditors, without any discrimination, preference deduction, and to provide sufficient funds to secure the payment of all debts due from the publ within such reasonable time as the circumstances of the people will permit, and if possible annua to discharge part of the principal of the public debt, and at all events the interest accruing thereo

Funds to be consolidated, &c.

II. BE IT ENACTED, *by the General Assembly of Maryland*, That all the present funds belonging this state, consisting of all confiscated British property unsold, and not specially reserved, subject the disposal of the general assembly, and all debts for confiscated British property sold, and a oth debts on bond, (except only as herein after excepted,) and all arrearages of taxes due this state b fore the first day of January, seventeen hundred and eighty-three, shall be and hereby are conso dated and made a general and aggregate fund, and are hereby pledged to all the creditors of the sta for the payment of the principal of their debt on or before the first day of January, seventeen hu dred and ninety, and for payment in the mean-time of the interest of six *per cent.* annually, to co mence on the first day of January, seventeen hundred and eighty-five.

Bonds to be laid apart, &c.

III. AND BE IT ENACTED, That the bonds taken or to be taken and lodged in the treasury b fore the first day of June next, for property heretofore sold, and payable in specie only, by the act acts under which such property hath been sold, and where the money is due or may be due befo the first day of January, in the year seventeen hundred and eighty, and so many of the bon lodged or to be lodged before the first day of June next in the treasury, for payment of the two em sions of June, seventeen hundred and eighty, as may be necessary to ensure the redemption of t said bills, shall be laid apart and kept separate for the purpose of redeeming those two emissions.

To be listed, &c.

IV. AND, if the bonds lodged or to be lodged and laid apart as aforesaid shall not be sufficient redeem the said two emissions, to provide for such deficiency, BE IT ENACTED, That so many of t bonds lodged or to be lodged before the said first day of June in the treasury, for the redemption the emission of May, seventeen hundred and eighty-one, and so many of the bonds which may in v tue of this act be taken for property already sold and not bonded, for the redemption of the s emissions of June, seventeen hundred and eighty, and May, seventeen hundred and eighty-one,

will be ſufficient with the bonds taken for the redemption of the emiſſions of June, ſeventeen hundred and eighty, lodged as aforeſaid, to redeem the ſaid two emiſſions, ſhall be ſet apart and added to the bonds firſt mentioned; and to determine what bonds of the emiſſion of May, ſeventeen hundred and eighty-one, and the bonds taken in virtue of this act for property ſold and not bonded, for the redemption of the emiſſions of June, ſeventeen hundred and eighty, and May, ſeventeen hundred and eighty-one, ſhall be thus ſet apart, the whole of the ſaid bonds lodged or to be lodged before the ſaid firſt day of June, ſhall be liſted and numbered, and put into a box, and ſo many of them drawn out by the treaſurer of the weſtern ſhore as ſhall amount to the ſum neceſſary to make up the deficiency above mentioned.

Creditors may diſcount, &c.

V. AND BE IT ENACTED, That any creditor of the ſtate on certificate on intereſt, or his aſſignee, ſhall be allowed to diſcount ſuch debt with the intereſt, out of any debt due by ſuch creditor, or his aſſignee, except only the bonds appropriated and laid apart as aforeſaid for the redemption of the emiſſions of June, ſeventeen hundred and eighty, which can only be diſcharged in thoſe emiſſions or ſpecie.

Certain certificates not to be paid, &c.

VI. AND, whereas ſundry certificates have been granted to perſons as non-commiſſioned officers and private ſoldiers, who have fraudulently obtained the ſame, under pretence that they were ſoldiers when they never were, or that they were in the ſervice and entitled to the certificates for depreciation contrary to the fact, or by one ſoldier perſonating another; for remedy whereof, BE IT ENACTED, That if on full inquiry any ſuch fraud or deceit ſhall be diſcovered by the intendant and auditor-general, or either of them, ſuch certificates ſhall not be paid or diſcounted by the treaſurer, on notice by the intendant or auditor-general of ſuch fraud or deceit.

Indulgence to be granted, &c.

VII. AND BE IT ENACTED, That an indulgence be given to the debtors of the ſtate for confiſcated property, (except on the bonds eſpecially ſet apart as aforeſaid,) for five years from the firſt day of January, ſeventeen hundred and eighty-five; and, to enforce the payment of intereſt due to the ſtate from the debtors aforeſaid annually, on the firſt day of September, during the ſaid five years, if not paid by the firſt day of September aforeſaid, the intendant of the revenue ſhall give ſix weeks notice in the Annapolis Gazette, Baltimore Journal, and Hall and Sellers paper of Philadelphia, to the debtors aforeſaid, and if the intereſt be not paid at the expiration of the aforeſaid ſix weeks, execution ſhall iſſue, agreeably to the directions of the act (a) for the emiſſion of bills of credit not exceeding two hundred thouſand pounds, on the ſecurity of double the value in lands, to defray the expences of the preſent campaign, upon ſuch bonds as have been taken or may be taken for property ſold under that act; and the moſt ſpeedy method ſhall be purſued upon bonds taken for property ſold under any other act, which the directions of ſuch act will warrant, to compel payment of the intereſt and principal, if the debtors omit or neglect to pay the intereſt as aforeſaid; and if the emiſſions of June, ſeventeen hundred and eighty, ſhall be redeemed before the time they become redeemable, then the ſame indulgence ſhall be extended to ſuch debtors; and out of the intereſt paid by the debtors of the ſtate, the creditors of the ſtate ſhall be paid the intereſt due them.

(a) May, 1781, ch. 23.

Bills, &c. to be received for taxes, &c.

VIII. AND BE IT ENACTED, That the emiſſions of June, ſeventeen hundred and eighty, with the intereſt calculated thereon, and the bills of credit of the emiſſion of May, ſeventeen hundred and eighty-one, and any certificate iſſued by this ſtate, and ſtipulated and expreſſed to be diſcounted in taxes, ſhall be received in payment of all arrearages of taxes due before the firſt day of March, ſeventeen hundred and eighty-four; and all certificates iſſued by this ſtate, and declared by law to be diſcountable in taxes, although they have ſince been liquidated, ſhall be diſcounted and diſcountable in all taxes impoſed or to be impoſed by the legiſlature, agreeably to the true intent and meaning of the law by which ſuch certificates were made diſcountable as aforeſaid.

Property to be ſold, &c.

IX. AND BE IT ENACTED, That all confiſcated Britiſh property that remains undiſpoſed of, and unſolidated and pledged as aforeſaid to pay the ſtate debt, except New Connaught manor in Cæcil county, and ſuch part of My Lady's manor and reſerves as are ſettled on, and to the purchaſe of which a preference was given by the law of April ſeſſion, ſeventeen hundred and eighty-two, be ſold by the intendant of the revenue as ſoon as may be, for current money or all certificates before mentioned, payable on the firſt day of January, ſeventeen hundred and eighty-nine, with intereſt annually.

Bonds to be given, &c.

X. AND BE IT ENACTED, That every purchaſer of confiſcated Britiſh property, who hath not given bond, ſhall give bond before the firſt day of April next, with ſuch ſecurity as the commiſſioners for the ſale and preſervation of confiſcated Britiſh property, under the direction of the intendant of

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the revenue, shall require, for the payment of the purchase money, with interest, agreeably to th contract, payable on the first day of January, seventeen hundred and ninety, with interest annuall to commence from the first day of September last; which indulgence of payment till the year seve teen hundred and ninety shall not extend to such bonds as may be drawn for the redemption emissions of June, seventeen hundred and eighty, but they shall be paid at the same time as the othe drawn, notwithstanding the time of payment mentioned in such bonds; and if any purchaser or pu chasers of confiscated British property shall neglect or omit to give bond with security as aforesai on or before the first day of April as aforesaid, the intendant of the revenue is hereby authorised a empowered, and expressly directed, to enforce, by the mode directed by the ninth clause of the a passed April session, seventeen hundred and eighty-two, * entitled, An act respecting claims to co fiscated British property, and to direct the commissioners in certain cases, payment of the princip and interest due by contract from such purchaser or purchasers, if the said intendant shall judge suc purchaser or purchasers able to pay the same, and if unable, the contract shall be void, and shall b so declared by the said intendant, and the property shall be exposed to a second sale by the commis oners aforesaid, under the direction aforesaid, for current money, or all certificates before mentione payable the first day of January, seventeen hundred and ninety, with interest annually; and in suc case the intendant of the revenue may direct suit to be brought against the first purchaser or pu chasers, to recover damages for the use or any waste committed by him or them on the premises; the intendant, with the consent of such first purchaser or purchasers, may settle the damages, or ha them ascertained by arbitrators indifferently chosen, and acting under oath; and in any such suit to be brought, it shall only be necessary for the attorney-general to issue a writ in trespass on the ca in the name of this state, and to declare that such purchaser or purchasers have unjustly had the u and possession of the property belonging to the state, for the time such use and possession hath con nued, and hath or have committed damage or waste thereon, upon which such purchaser or purchase shall plead not guilty, and thereupon the merits of the cause shall be fully tried, and judgment sh be given and execution issue for such damage as may be assessed.

* Chapter 60.

Tenants to have the preference, &c.

XI. AND BE IT ENACTED, That the tenants of New Connaught manor have the preference purchasing such parts of the said manor as they now possess under any lease from or under the tit of Talbot, or any of the late proprietors of this state, on payment of a reasonable and modera valuation, in current money, or any of the certificates aforesaid, on giving bonds with good securi to pay the principal on or before the first day of January, seventeen hundred and ninety, and to p the interest annually; and that the value of such lands, without the improvements thereon, be d termined by the intendant of the revenue, or by any two or three persons on oath, to be nom nated by him, such persons to be indifferent, and not living in Cæcil county, or within fifty mil thereof; and thereout shall be deducted the leases for lives or years, in the computation whereof t length of the term for years, the age and health of the tenant for life, and the chance of the reve sion, shall be considered; and if the said tenants shall refuse or neglect to purchase, the said inten ant of the revenue shall sell the same, on the same credit, for the highest price he can procure, current money, or any of the certificates aforesaid.

Tenants on manors, &c. to have a preference, &c.

XII. AND BE IT ENACTED, That the tenants on any manors, and the settlers on the reserv shall have the preference of purchasing such parts of the said manors and reserves as they now fe rally possess or occupy, or agreeably to surveys and certificates thereof made in pursuance of t act of April session, seventeen hundred and eighty-two, on payment of a reasonable and moder valuation therefor, in current money, or any of the certificates aforesaid, without the improvemen thereon, to be ascertained by the intendant of the revenue, or by any two of three indifferent p sons, on oath, to be nominated by him; and the purchasers shall give bond, with good security, pay the principal on or before the first day of January, seventeen hundred and ninety, and to p the interest annually; and if they shall refuse or neglect to purchase, the said intendant of the re nue shall sell the same on the same credit for the highest price he can procure, in current money, any of the certificates aforesaid.

Deficiency to be made up.

XIII. AND, if the interest received from the debtors of the state shall not be sufficient to pay t interest due the creditors of the state, BE IT ENACTED, That the deficiency shall be made up, a paid out of the supplies for every year until the principal shall be wholly discharged.

Tax to be imposed, &c.

XIV. AND, as a sinking fund to secure the certain payment of all the state debts now due, w interest payable thereon, before the first day of January, seventeen hundred and ninety-one, BE ENACTED, That annually, from the year seventeen hundred and eighty-five to the year seven hundred and ninety-one inclusive, a tax of two shillings and six-pence current money shall be impo

on every hundred pounds worth of property within this ſtate, as the ſame ſhall be eſtimated in the ſaid years reſpectively, and ſhall be annually paid to the treaſurer of the weſtern ſhore, and ſhall be by him kept ſeparate and apart from all other public money, and ſhall be inviolably appropriated to the payment of the principal and intereſt of the ſtate debt; and in caſe the ſaid aggregate and ſinking funds ſhall not be ſufficient to anſwer and ſatisfy the purpoſes to which the ſame are hereby applied, then and in ſuch caſe, and as often as any deficiency ſhall happen, the public faith is hereby pledged and engaged, that ſuch deficiency ſhall be provided for, anſwered and made good, by the general aſſembly; and any ſpecie certificate granted by this ſtate, with the intereſt due thereon, may be received in payment of the ſaid tax, but no collector ſhall have credit therefor, before he ſhall make oath or affirmation, (to be adminiſtered by either of the treaſurers,) that he *bonâ fide* received the ſame in payment of the ſaid tax, and any collector ſwearing falſely ſhall, on conviction, be ſubject to the ſame puniſhment and conſequences as for wilful and corrupt perjury; and any certificate received in payment of the ſaid tax ſhall be kept with the money, and ſhall be examined and deſtroyed by a committee of both houſes.

Claimants may apply, &c.

XV. AND, to ſecure the payment of the claims againſt the property of the Principio company admitted by the legiſlature, BE IT ENACTED, That after the amount of ſuch claims ſhall be aſcertained and adjuſted by the auditor-general, and approved by the intendant of the revenue, any ſuch claimant may apply, before the firſt day of June next, to the treaſurer of the weſtern ſhore, for as many of the bonds taken for the ſales of the property of the ſaid Principio company as will ſatisfy ſuch claim; and to determine what bonds ſhall be delivered, all the bonds taken on ſuch ſales ſhall be liſted and numbered, and drawn out by the treaſurer, and if any of the obligors ſhall bring in to the treaſurer of the weſtern ſhore certificates iſſued for ſpecie, the ſaid treaſurer ſhall pay him caſh to the amount thereof, or the ſaid claimants may take certificates bearing intereſt to the amount of their claim, and ſhall be paid the ſame on or before the firſt day of January, ſeventeen hundred and eighty-ſix, out the money paid by debtors of the ſtate, or out of the ſinking fund by this act provided.

CHAP. LVI.

Paſſed 22d of Jan. 1785.

An ACT to raiſe the ſupplies for the year ſeventeen hundred and eighty-five. Lib. TBH. No. A. fol. 488.

Rate of aſſeſſment, &c.

FOR raiſing the neceſſary ſupplies for the enſuing year, BE IT ENACTED, *by the General Aſſembly of Maryland*, That the rate or aſſeſſment of fifteen ſhillings current money ſhall be and is hereby laid and impoſed for every hundred pounds worth of property within this ſtate, and in the ſame proportion for every greater or leſs ſum; and the ſaid rate or aſſeſſment ſhall be paid, collected and levied, in the manner herein after directed.

Proviſo.

II. PROVIDED, That all property belonging to this ſtate, the United States, or either of them, or to any church, county or pariſh, or to any public or county ſchool, all proviſions, (except live ſtock,) neceſſary for the uſe and conſumption of the perſon to whom the ſame ſhall belong and his family for the year, plantation utenſils, the working tools of mechanics and manufacturers actually and conſtantly employed in their reſpective occupations, ready money, and wearing apparel, ſhall be and are hereby excepted from any rate or aſſeſſment.

Commiſſioners to be appointed, &c.

III. AND BE IT ENACTED, That five ſenſible, diſcreet and experienced perſons, ſhall be appointed in each county of this ſtate, who ſhall be called Commiſſioners of the Tax, and they, or any three or more of them, ſhall be the commiſſioners for each county; provided, that no member of the general aſſembly or the council, clergyman, practiſing attorney or phyſician, ſheriff, clerks of the general or any county court, ordinary-keeper, mariner or inſpector, ſhall be appointed a commiſſioner.

Names of the commiſſioners.

IV. AND BE IT ENACTED, That the following perſons ſhall be and they are hereby appointed commiſſioners for the ſeveral and reſpective counties of this ſtate, to wit: For Saint-Mary's county, Meſſieurs Jeremiah Jordan, Thomas Bond, Robert Cheſley, William Killgour and William Somerville; for Kent county, Meſſieurs Richard Miller, William Maxwell, junior, George Hanſon, Nathaniel Comegys and Simon Wickes, of Cheſter-town; for Anne-Arundel county, Meſſieurs John Weems, John Brice, William Hall, Edward Gaither and James Tootell; for Calvert county, Meſſieurs Daniel Rawlings, Joſeph Blake, Joſeph Wilkinſon, Thomas Mackall and Frederick Skinner; for Charles county, Meſſieurs Richard Barnes, Thomas Harris, Henry Barnes, Gerard Blackiſton Cauſin and Hoſkin Hanſon; for Baltimore county, Meſſieurs William Spear, Benjamin Rogers, Darby Lux, Samuel Owings and Daniel Bowley; for Talbot county, Meſſieurs Thomas Sherwood, Howes

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Howes Goldſborough, Samuel Chamberlaine, Peregrine Tilghman and Henry Banning; for Somerſet county, Meſſieurs William Gilliſs, David Wilſon, John Winder, John Williams and Ezekiel Gilliſs; for Dorcheſter county, Meſſieurs Robert Harriſon, Henry Hooper, Q. S. Joſeph Ennalls, John Goldſborough and James Sulivane; for Cæcil county, Meſſieurs Samuel Gilpin, John Ward, inſpector, Jeremiah Baker, Samuel Veazey and James Evans, ſenior; for Prince-George's county, Meſſieurs Nathaniel Magruder, John Contee, Robert Darnall, David Craufurd and Clement Hill; for Queen-Anne's county, Meſſieurs Aquila Brown, Richard Tilghman Earle, John Brown, Arthur Emory, junior, and Edward Downes; for Worceſter county, Meſſieurs Thomas Martin, John Selby, Thomas Purnell, of Thomas, Samuel Handy and William Handy, Indian-town; for Frederick county, Meſſieurs William Murdock Beall, Thomas Hawkins, Peter Mantz, Joſhua Giſt and James Ogle; for Harford county, Meſſieurs Thomas Johnſon, William Wilſon, Robert Morgan, William Smith, (Bay ſide,) and Jacob Norris; for Caroline county, Meſſieurs Robert Poſtlewaite, Philemon Downes, Matthew Driver, Philip Walker and Thomas Maſon; for Waſhington county, Meſſieurs Charles Swearingen, Alexander Clagett, Denton Jacques, William Good and Martin Kerſhner; for Montgomery county, Meſſieurs Richard Brooke, Samuel Thomas, the third, Richard Wootton, William Holmes and Allen Bowie.

Their oath.

V. AND BE IT ENACTED That every commiſſioner, appointed, (or to be appointed) in virtue of this act, ſhall, before he acts as ſuch, take the following oath, or affirmation, to wit: "I, A. B. "do ſwear, or ſolemnly, ſincerely and truly declare and affirm, that as commiſſioner for ——— "county, I will, to the beſt of my ſkill and judgment, execute the duties of the ſaid office diligently "and faithfully, according to the directions of this act, without favour, affection or partiality, and "that I will do equal right and juſtice, according to the beſt of my knowledge, in every caſe in "which I ſhall act as commiſſioner; ſo help me GOD."

Commiſſioners exempt, &c.

VI. AND BE IT ENACTED, That every commiſſioner who ſhall take upon himſelf the execution of this act, during the time he ſhall act as ſuch, ſhall be exempt from all military duty.

Penalty for refuſing to ſerve, &c.

VII. AND BE IT ENACTED, That if any perſon appointed commiſſioner of the tax ſhall refuſe to ſerve, not having a reaſonable excuſe in the judgment of the county court of his county, he ſhall for ſuch refuſal forfeit the ſum of one hundred pounds current money.

Commiſſioners, &c. to take the oaths, &c.

VIII. AND BE IT ENACTED, That if any perſon appointed a commiſſioner, or to any office in virtue of this act, hath not heretofore taken the oaths, or affirmations, of fidelity and ſupport to this ſtate, ſuch perſon ſhall, before he acts as ſuch, take the oaths directed by this act, ſubſcribe a declaration of his belief in the chriſtian religion, and take the oath, or affirmation, as the caſe may be, of fidelity to this ſtate, directed by the conſtitution, and the oath or affirmation preſcribed by the act to puniſh certain crimes and miſdemeanors, and to prevent the growth of toryiſm; which oaths or affirmations any one of the ſaid commiſſioners, or any juſtice of the peace, may adminiſter.

Duties may be performed, &c.

IX. AND BE IT ENACTED, That if any of the days appointed by this act for the performance of any of the duties hereby required ſhall happen to be a Sunday, then ſuch duties ſhall be performed on the day following.

How vacancies are to be filled.

X. AND BE IT ENACTED, That if any one or two of the commiſſioners for any of the counties aforeſaid ſhall die, refuſe, or be rendered incapable to act, a majority of the remaining commiſſioners may appoint ſome other in the place of the perſon or perſons who ſhall die, refuſe, or be incapable to act; and if any three or more of the ſaid commiſſioners ſhall die, refuſe, or be incapable to act, the governor may appoint ſome perſon or perſons in his or their place, ſo as to make up the number of three commiſſioners, and they ſhall fill up the remaining vacancies in manner aforeſaid.

Duty of commiſſioners.

XI. AND BE IT ENACTED, That the commiſſioners of the tax ſhall meet at the place where the county courts are uſually held in their reſpective counties on the firſt Monday in March next, or as ſoon thereafter as they may have notice of this act, and as often afterwards as ſhall be neceſſary; and the ſaid commiſſioners, at their ſaid meeting, ſhall appoint a clerk, who ſhall be and is hereby required, in caſe he has no reaſonable excuſe, to act as ſuch for the enſuing year, under the penalty of twenty pounds current money; and the ſaid commiſſioners ſhall and they are hereby authoriſed and required to call before them the clerks of the ſeveral counties reſpectively, or any other perſon or perſons who may have poſſeſſion of the aſſeſſors returns, and liſt made out by the commiſſioners of the tax for the year ſeventeen hundred and eighty-three, and the valuation of land in the ſeveral counties, according to the returns of the commiſſioners of the tax agreeably to the act to raiſe the ſupplies

lies for the enſuing year, paſſed at November ſeſſion, ſeventeen hundred and eighty-three, ſhall be conſidered and are hereby declared to be the value of land on which to lay the tax for the next year; and that the commiſſioners of the tax appointed in virtue of this act are hereby authoriſed and directed to add any land ſince granted, with ſuch value affixed to the ſame as they ſhall determine, and to add any land ſince leaſed on ground-rent, with the value affixed as to other land leaſed on ground-rent; and the commiſſioners are hereby inveſted with full authority to abate or increaſe the valuation of any tract of land, and they are particularly directed to make diligent inquiry, and invariably to obſerve, that all land in their county of the ſame quality be eſtimated at the ſame value, that on compariſon equity and juſtice may take place in the valuation of land in their county.

Clerk to deliver a liſt, &c.

XII. AND BE IT ENACTED, That the ſeveral county clerks ſhall and they are hereby authoriſed and required to deliver the commiſſioners of their county a liſt of alienations for the year ſeventeen hundred and eighty-four, of real property in their reſpective counties, with all convenient ſpeed after required ſo to do, under the penalty of twenty pounds current money for every neglect or refuſal.

Commiſſioners may meet in any other place, &c.

XIII. AND BE IT ENACTED, That the commiſſioners of the tax ſhall have full power and authority to meet at any other place in their reſpective counties that the major part of them may agree upon, and which may be by them thought more convenient to the inhabitants of the ſeveral hundreds or diſtricts in their reſpective counties.

Perſons to give an account, &c.

XIV. AND, for the diſcovery of all perſonal property liable to aſſeſſment by this act, where the commiſſioners may have good reaſon to believe there hath been any change, BE IT ENACTED, That every perſon, if particularly required by the commiſſioners of the county, or by any one or more of them, in which his perſonal property lies, ſhall give in to ſuch commiſſioner or commiſſioners a full and particular amount of all his perſonal property in the ſame county, and of all property in his poſſeſſion liable to aſſeſſment, and to whom the ſame belongs; and if any perſon ſhall refuſe, or after reaſonable and convenient notice ſhall neglect, to render ſuch account, he ſhall forfeit not exceeding twenty pounds current money for ſuch refuſal or neglect; and the commiſſioners, or the major part of them, ſhall, on their knowledge, or the beſt information they can obtain, value the perſonal property of ſuch perſon to the utmoſt ſum they believe in their conſcience the ſame may be worth, and the ſaid commiſſioners ſhall double the aſſeſſment of ſuch perſon, and the ſame ſhall be collected as the rate by this act impoſed; and if any perſon ſhall give a partial account of his perſonal property, or of the property in his poſſeſſion, with intent that the payment of the rate on any property omitted may be avoided, ſuch perſon ſhall forfeit the value of the property ſo omitted.

Valuation of ſlaves, &c.

XV. AND BE IT ENACTED, That the following ſpecies of perſonal property ſhall be valued at the reſpective ſums following, to wit: Every male and female ſlave from eight to fourteen years of age twenty-five pounds current money, and every male ſlave from fourteen to forty-five years of age ſeventy pounds like money, and every female ſlave from fourteen to thirty-ſix years of age ſixty pounds like money; and ſilver plate eight ſhillings and four-pence like money per ounce, and the other articles of perſonal property ſhall be left to the diſcretion and judgment of the ſeveral commiſſioners, who ſhall eſtimate the ſame at its preſent actual worth in ready money, in coin, at the value aſcertained and made current by law; provided, that the ſaid commiſſioners ſhall be at liberty, and are hereby directed, to eſtimate male ſlaves, who are tradeſmen, at ſuch value as they may judge them to be worth, regarding their reſpective trades and their proficiency therein, and the annual value ariſing therefrom, and alſo male and female ſlaves under eight years of age, and male ſlaves above the age of forty-five years, and female above the age of thirty-ſix years, to a true proportioned value to male and female ſlaves above or under thoſe ages; and if any ſlave ſhall not be perfect in his limbs or ſight, or from the want of health, or any viſible infirmity, ſhall be rendered incapable to perform his uſual and proper labour, the commiſſioners ſhall make a reaſonable abatement for ſuch cauſe.

How ſurplus land is to be rated, &c.

XVI. AND, whereas it may be juſt and reaſonable in ſome caſes to vary from the quantity of acres contained in the patent or deed by which the preſent poſſeſſor holds the ſame; BE IT ENACTED, That where the commiſſioners ſhall know, or be informed and have good reaſon to believe, that there is ſurplus land held under the patent or deed, it ſhall and may be lawful, and they are hereby required, to call on the perſon to whom the land is aſſeſſed to aſcertain the quantity of ſuch land, and the ſaid commiſſioners may, in their diſcretion, for the better aſcertaining the quantity thereof, adminiſter an oath, (or affirmation,) to ſuch perſon, to diſcover his knowledge or belief touching the quantity of ſuch land; and the party ſo to be aſſeſſed ſhall and he is hereby obliged to take ſuch

oath

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oath or affirmation as aforesaid, and answer thereon as to the quantity of such land to the best of his knowledge and belief, under the penalty of fifty pounds current money for every neglect or refusal; and where any person assessed holds less than the quantity specified in the patent or deed, it shall and may be lawful for the party assessed to ascertain the quantity by oath or affirmation as aforesaid, or otherwise to prove the same to the satisfaction of the commissioners, who shall allow for such deficiency.

Persons guilty of fraud to pay double, &c.

XVII. AND BE IT ENACTED, That if any person, who ought to be assessed by virtue of this act for any personal property, shall, by removing his or her effects from the county where they ought to have been valued, or by any other fraud or device escape being taxed, and the same be proved before any one of the commissioners, or any justice of the peace for the county where such person resides, at any time within one year next after his property ought to have been valued, every such person shall be charged in the county where he is found, upon proof thereof, double the value of the sum he ought to have been rated by this act, and the same shall be collected from such person by the collector of the county where he shall be found.

How estates are to be valued, &c.

XVIII. AND BE IT ENACTED, That all lands held or enjoyed immediately by tenants in fee-simple, conditional or executory, or fee-tail, or by tenant for life without any contingency and impeachment of waste, and who pays no rent, or by tenant by the courtesy, shall be wholly valued to such tenants; and land assigned to and held by tenant in dower, shall be assessed to such tenant; and where divers persons have particular estates or interests carved out of the same inheritance, as for years, with a reversion or remainder for life or in fee, a just computation thereof shall be made in proportion to the value of their particular interests therein, so that added together they shall amount to the full value of such lands, estimated agreeable to the directions of this act, in which computation the length of the term for years, the age and health of the tenant for life, and the chance of the reversion, shall be considered.

Sheriff to be appointed collector, &c.

XIX. AND BE IT ENACTED, That the commissioners of the tax shall, at their first meeting, or within ten days thereafter, appoint the sheriff, or such person as they may judge most proper, to be collector of the tax in their county, and the person so appointed shall appear before the commissioners within five days after notice of his appointment, and in their presence enter into bond, with good and sufficient securities, such as they shall approve, in double the sum to be collected, with condition, "that if the above bound ——— shall well and faithfully execute and perform the several duties required of him as collector of the tax for —— county, according to law, then the above obligation to be void, else to remain in full force;" and the commissioners shall witness the execution of such bond, and immediately thereafter transmit the same to the clerk of the county court, who shall record the same, and transmit the original to the clerk of the general court, who shall also forthwith record the same, and immediately thereafter deliver the original to the register of the chancery court, to be by him safely kept in the chancery office; and an attested copy of either of the said records shall be as good evidence in law as if the said bond was actually produced and proved in court; and any person appointed a collector, who shall, after notice of his appointment, neglect to appear, not having a reasonable excuse in the judgment of the commissioners, or appearing shall refuse to take upon him the office of collector, or shall refuse or neglect to give bond as aforesaid, shall forfeit and pay fifty pounds current money; and the commissioners of the tax may also, in their discretion, remove any collector from his office, and shall immediately, on any vacancy by death or removal, or by refusal to act, neglect to appear or to give bond as aforesaid, appoint some other collector, who shall be subject to the same penalty in case of neglect or refusal, until a proper collector can be procured for such county.

Collector to shew certificates, &c.

XX. AND BE IT ENACTED, That the collector or his deputy shall, on the request of any person charged, or on the request of any person offering to pay for any person charged, shew to the person so applying the certificate given by the commissioners of such charge, and if required, give him a copy thereof; and if it shall appear to any collector, that any person shall reside in any other district of his county than that in which his property shall be valued, it is hereby declared to be the duty of such collector to enter such assessment under the district where such person shall reside; and if it shall appear to any collector, that any person whose property shall be valued in his county shall not reside therein, it is hereby declared to be the duty of such collector to make diligent inquiry where such person shall live, and he shall, if known, transmit to the collector of the county where such person shall reside a copy of the valuation made on the property of such person in his county, and such collector, on receipt thereof, shall enter the same under the district where such person shall reside, and collect the same.

XXI. AND

Counties to be divided, &c.

XXI. AND BE IT ENACTED, That the commiſſioners aforeſaid ſhall and may divide their reſpective counties into convenient diſtricts, containing not leſs than one or more than three entire hundreds; and the ſaid collector, with the approbation of the ſaid commiſſioners, ſhall appoint a deputy in each diſtrict, for whom he ſhall be anſwerable.

Liſt to be delivered, &c.

XXII. AND BE IT ENACTED, That the commiſſioners ſhall, on or before the firſt Monday in June next, make out and deliver to the collectors an alphabetical liſt of the perſons in each diſtrict chargeable for the property therein, the amount of the valuation of each perſon's property reſpectively, as made or corrected by them, expreſſing the ſum to be paid thereon by this act.

When the aſſeſſment is to be paid, &c.

XXIII. AND BE IT ENACTED, That every perſon ſhall, on or before the firſt day of October next, pay to the collector of the county, or his deputy in the diſtrict where his property was valued, the aſſeſſment impoſed by this act, in current money or continental bank-notes.

Perſons may diſcount, &c.

XXIV. AND, whereas congreſs have agreed to diſcount one fourth part of their requiſitions in continental loan-office certificates for intereſt due on their domeſtic debt, BE IT ENACTED, That every perſon rated and taxed as herein before directed, upon paying three fourths of one half of the tax impoſed by this act in ſpecie or bank notes aforeſaid, may diſcount one eighth part of his rate or tax in ſuch continental loan-office certificates for intereſt, as congreſs, by their reſolution of the twenty-eighth of April, ſeventeen hundred and eighty-four, have directed and agreed to take in part of their requiſitions aforeſaid.

Guardians may pay for infants, &c.

XXV. AND BE IT ENACTED, That where any perſon, whoſe property is chargeable with the rate by this act impoſed, ſhall be under the age of twenty-one years, if the parent or guardian of ſuch infant ſhall make payment, the ſame ſhall be allowed him in his account with ſuch infant.

And executors for deceaſed perſons, &c.

XXVI. AND BE IT ENACTED, That if an executor or adminiſtrator ſhall have any perſonal eſtate of the deceaſed in his hands, chargeable with the aſſeſſment impoſed by this act, he may inform the aſſeſſor, and on payment of the rate, the receipt of the collector ſhall be ſufficient evidence to diſcharge ſuch executor or adminiſtrator for the ſum by him paid.

Collectors to make out liſts, &c.

XXVII. AND, as it is the duty of every citizen to pay the taxes impoſed by the legiſlature by the time and in the manner preſcribed, and that thoſe who neglect may be known and diſtinguiſhed, BE IT ENACTED, That the collectors of the tax in the ſeveral counties be directed and required, under the penalty of fifty pounds current money, on or before the tenth day of October next, to make out an alphabetical liſt of all perſons who ſhall pay the tax with which their property is chargeable before the firſt day of the ſame month of October next, and to lodge, before the ſaid tenth day of October next, one copy of ſuch liſt with the clerk of their county court, and to ſend one other copy thereof, by the firſt conveyance, to the intendant of the revenue; and the ſaid collectors are alſo hereby directed and required, in the ſame manner, and under the ſame penalty, to make out and ſet up as aforeſaid, on or before the tenth day of October next, and on or before the tenth day of every month thereafter, until all the taxes due in the county be collected, a ſimilar liſt of thoſe who ſhall have paid on the firſt day of each month, and to tranſmit a copy of ſuch liſt as before directed.

Perſons may declare on oath, &c.

XXVIII. AND BE IT ENACTED, That if any perſon ſhall think that his property is over valued by the commiſſioners, he may offer to declare the actual worth thereof on oath or affirmation, which the commiſſioners may adminiſter, and accept as ſufficient evidence of the value of the property of ſuch perſon.

Time for collecting the aſſeſſment, &c.

XXIX. AND BE IT ENACTED, That the ſaid collectors and their deputies, immediately after the ſaid firſt day of October next, ſhall collect the aſſeſſment impoſed by this act, by diſtreſs and ſale of any goods or chattels within his county, the property of any perſon charged therewith, of which ſale five days notice, excluding the day of notice and ſale, ſhall be given, and by diſtreſs and ſale of any goods or chattels found on any land chargeable with the ſaid rate, of which the ſame notice ſhall be given, which ſaid ſales ſhall be for current money; and if no effects can be found on the ſaid land, the ſame ſhall be chargeable with the aſſeſſment which may be unpaid, with ſix *per cent.* intereſt thereon from the firſt day of October next, in the hands of any purchaſer, and any goods at any time found on the premiſes ſhall be liable to diſtreſs and ſale for payment thereof; and the reſpective collectors ſhall, from time to time, diſcloſe to the commiſſioners of his county his receipts of the rate impoſed by this act, and ſhall, from time to time, pay to the treaſurer of his ſhore, by direction

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of the commiſſioners, as far as he ſhall have received, ſo that no great ſum of money may long remain in his hands.

Collectors to render fair accounts, &c.

XXX. AND BE IT ENACTED, That each of the ſaid collectors ſhall appear at the place of holding the county court for his county on the twentieth of November next, and then and there lay before the commiſſioners of his county an accurate and fair account of his collection of the rate aforeſaid, under the penalty of two hundred pounds current money; and the ſaid commiſſioners ſhall appear at the ſame time and place, under the penalty of twenty pounds on each commiſſioner not appearing, unleſs prevented by ſickneſs or unavoidable accident, and they ſhall immediately proceed to adjuſt his ſaid account, charging him in current money or continental bank notes, according as he received or ought to have received the ſame, and ſhall, upon ſuch ſettlement, allow to the ſaid collector a commiſſion of four *per cent.* on the collection of the rate or aſſeſſment made in money or continental bank notes, on the ſum they ſhall adjudge him to be anſwerable for, and the commiſſioners ſhall not allow the collector any deductions of any part of the ſums mentioned in the certificates by them made, except only in ſuch caſes where it ſhall appear to them that he has uſed all lawful means for the levying and collecting the ſame, two copies of which account, ſo adjuſted, with a certificate of the balance thereof, ſhall be ſigned by the ſaid commiſſioners, and on or before the twenty-fifth day of November next delivered to the ſheriff of their reſpective counties, endorſed on the public ſervice, one to be by him forwarded as public letters to the clerk of the houſe of delegates, and the other to the treaſurer of his ſhore; and every collector ſhall pay to the treaſurer of his ſhore, on or before the fifth day of December next, the whole balance of his account, adjuſted by the commiſſioners, and upon failure in payment by any collector, the treaſurer of his ſhore ſhall, on or before the twentieth day of December next, obtain a copy of his bond, and file the ſame in the general court, and thereupon *ſcire facias* ſhall iſſue againſt ſuch collector and his ſecurities, in the ſame manner as on bonds to the loan-office, and ſimilar proceedings ſhall be had to compel payment of the money due, with intereſt of ten *per cent.* from the ſaid fifth day of December next.

Commiſſioners to adjuſt accounts, &c.

XXXI. AND, to prevent any damage to any collector from the negligence of his deputies, or by their receiving the taxes and converting the ſame to their own uſe, BE IT ENACTED, That the commiſſioners of the tax be empowered, on hearing, (or default to appear on notice,) to adjuſt the account between the collector and any of his deputies, concerning his receipt, collection, or neglect of duty, as deputy-collector, and may order the balance to be paid, either immediately, or by a ſhort day to be limitted, and may alſo carry ſuch order into effect, by their warrant, directed to the ſheriff, to levy the ſum due, in the ſame manner as by *fieri facias*, on the lands, goods or chattels, of the deputy, or to take his body in execution as on *capias ad ſatisfaciendum*, in ſatisfaction thereof.

Collectors not to charge more than the ſum due, &c.

XXXII. AND, to reſtrain the ill practices of the ſeveral collectors within this ſtate, BE IT ENACTED, That where any collector, or his deputies, ſhall, by diſtreſs or otherwiſe, collect and receive more than the ſum *bonâ fide* due, that upon complaint of the perſon ſo diſtreſſed, the commiſſioners of the tax for the county where ſuch diſtreſs ſhall be made, or a majority of them, ſhall and they are hereby empowered, upon complaint of the party ſo diſtreſſed, to hear and adjuſt the ſame; and if it ſhall appear to the ſaid commiſſioners of the tax, or a majority of them, that the party ſo diſtreſſed is charged with a greater ſum than the amount of his aſſeſſment, as by the ſaid commiſſioners is expreſſed to be due in their liſt made and delivered to the ſaid collector, then and in that caſe the ſaid commiſſioners, or a majority of them, ſhall and they are hereby directed and empowered to direct the collector to pay double the ſum ſo by him overcharged, with the coſts ariſing on the diſtreſs, and the expence of the ſaid commiſſioners for their meeting and adjuſting the ſame; and the ſaid commiſſioners, or a majority of them, may carry ſuch order into effect, by their warrant to the ſheriff or coroner, as the caſe may be, of their county, to levy the ſame by *fieri facias*, or to take the body of the ſaid collector in execution, as on a *capias ad ſatisfaciendum*, in ſatisfaction thereof; and if complaint ſhall be made without juſt cauſe, the party complaining ſhall pay the coſts ariſing on ſuch complaint.

Certificates, &c. to be tranſcribed, &c.

XXXIII. AND BE IT ENACTED, That all the certificates of aſſeſſment or rate aforeſaid made out by the commiſſioners, and all their books of proceedings, and the accounts by them ſettled with the ſeveral collectors, ſhall be fairly tranſcribed by their clerk, and ſigned by them, and delivered to the ſheriff of their reſpective counties on or before the thirtieth day of November next, under the penalty of fifty pounds current money, to be by the ſaid ſheriff forwarded as public letters to the clerk of the houſe of delegates; and the certificates aforeſaid, and the proceedings of the commiſſioners, and the accounts by them ſettled with the ſeveral collectors, ſhall be by them delivered within five days thereafter, to the clerk of their county, under the penalty of fifty pounds current money

money, to be by the ſaid clerk ſafely kept in his office for the inſpection of the inhabitants of ſuch county. CHAP. LVI.

Clerk to make out a liſt, &c.

XXXIV. AND BE IT ENACTED, That the clerk to the commiſſioners in each county ſhall, on or before the firſt day of September next, make out from the aforeſaid certificates of property for collection, and the corrections thereof (if any) by the commiſſioners, a ſummary account or liſt (in columns,) in which ſhall be expreſſed the number of acres of land, the number of ſlaves of each deſcription within this act, the weight of plate, the number of horſes and black cattle, and the value of each of the ſaid ſpecies or kind of property, and all the other property, and the value thereof, in each diſtrict, and the whole value in each diſtrict extended, and the amount of each column, and ſhall lay the ſame before the commiſſioners, who, after correction thereof, if neceſſary, ſhall ſign and encloſe the ſame, endorſed for the public ſervice, to the clerk of the houſe of delegates, and ſhall, within five days thereafter, under the penalty of fifty pounds on each commiſſioner, deliver the ſame to the ſheriff of their county, to be by him forwarded as public letters, and under the like penalty; and the clerk of the houſe of delegates ſhall enter the ſaid ſummary account in a book to be provided for that purpoſe, and keep the original in his office, and on the ſecond day of the next meeting of the general aſſembly he ſhall lay the ſame before the houſe of delegates, for the inſpection of the members.

Collector to pay commiſſioners, &c.

XXXV. AND BE IT ENACTED, That the collector of each county, at the time of the ſettlement of his account, ſhall pay to every commiſſioner ten ſhillings current money for each day he ſhall neceſſarily attend, and ſhall alſo pay to the ſaid commiſſioners, for the uſe of their clerk, a ſum not exceeding thirty-five pounds current money, for his ſervice under this act; and the amount of all the ſums ſo paid ſhall, by the ſaid commiſſioners, be allowed to the ſaid collector on the ſettlement of his account, in which account ſhall be expreſſed the name of the clerk, and the ſum of money to him allowed; and the ſaid commiſſioners ſhall, after the receipt of the ſaid ſum for the uſe of their clerk, pay the ſame to him or his order, on demand, under the penalty of fifty pounds current money to the party grieved.

Land may be ſold, &c.

XXXVI. AND BE IT ENACTED, That in all caſes where the collector can find no effects on the land belonging to the party chargeable with the aſſeſſment ſufficient to pay the ſame, if diſtreſſed, and the rate cannot be otherwiſe recovered, by reaſon of the owner reſiding out of the ſtate, or the collector not knowing in what county of this ſtate the owner doth reſide, it ſhall and may be lawful for the commiſſioners of the tax in the county where ſuch lands lie, after thirty days public notice, to cauſe ſo much of the ſaid lands, or of the timber thereon, to be ſold at auction, as may be neceſſary to pay the aſſeſſment; and the ſaid commiſſioners, or a major part of them, may convey the land ſo ſold to the purchaſer and his heirs.

How tobacco is to be rated, &c.

XXXVII. AND BE IT ENACTED, That all tobaccoes in the ſeveral warehouſes during the courſe of the year ſeventeen hundred and eighty-five, ſhall, inſtead of aſſeſſment or rate as uſual, pay per hogſhead the ſum of one ſhilling and ſix-pence current money; and the ſeveral inſpectors are authoriſed and required to receive the aſſeſſment or rate aforeſaid, before the tobaccoes be delivered out, except only in caſe of tobacco purchaſed for the uſe of this ſtate, or the United States, or either of them; and in caſe any inſpector deliver out ſuch tobaccoes after notice of ſuch rate or aſſeſſment without receiving ſuch rate, he ſhall be liable to pay double the value thereof, to be recovered before a ſingle magiſtrate, who ſhall receive and render account of, and pay the ſame, to the collector of his county, within one month thereafter, under the penalty of paying ten *per cent.* intereſt; and every inſpector ſhall pay the aſſeſſment or rate by him received to the collector of his county within one month thereafter, under the penalty of paying ten *per cent.* intereſt; but no inſpector or collector ſhall be anſwerable for the aſſeſſment on tobacco in warehouſes, before they ſhall reſpectively receive, or ought to have received, the ſame; and every inſpector ſhall render, from time to time, to the commiſſioners of the tax, a true account of all tobacco in the warehouſe under his care.

Certain perſons to be aſſeſſed, &c.

XXXVIII. AND, whereas it is juſt that all perſons who have ability ſhould contribute in ſome degree towards the expences of government, BE IT ENACTED, That all free able bodied male inhabitants of this ſtate, who are above the age of twenty-one years and under fifty, and are not liable to be rated the ſum of one hundred pounds current money, ſhall be rated the ſum of fifteen ſhillings current money, in lieu of all other taxes, and the ſame ſhall be collected by the collectors in the ſeveral counties in manner above mentioned, or by execution of the body or goods of the perſon making default; and the conſtables in the ſeveral counties are hereby directed, under the penalty of twenty pounds current money, on or before the firſt day of Auguſt next, to inquire after and take

CHAP. LVI.

the names of every ſuch free male inhabitant in their county, one liſt whereof the ſaid conſtables ſhall return to the commiſſioners of the tax, and another to the collector of the county, on or before the firſt day of September next; and the commiſſioners of the tax ſhall make the ſaid conſtables ſuch allowance for their trouble as they ſhall think proper, and the ſaid conſtables ſhall require every ſuch free male inhabitant to give ſecurity for payment of the ſaid fifteen ſhillings, and in caſe of refuſal or delay, ſuch conſtable ſhall carry him before ſome juſtice of the county, who, on refuſal or delay to give ſecurity, ſhall commit the perſon to the gaol of the county, there to remain till payment or ſecurity given thereof, and every collector and deputy-collector is inveſted with the ſame power; and if any ſuch perſon ſhall remove out of the county, it is declared to be the duty of any conſtable, collector, deputy-collector or commiſſioner, acquainted therewith, to give information thereof to the collector or deputy-collector, or ſome one of the commiſſioners, of the county where ſuch perſon ſhall be, and any of them, on ſuch notice, ſhall inquire after and may arreſt ſuch perſon, and carry him before ſome juſtice, who ſhall commit him to the gaol of his county, there to remain till payment of twenty-five ſhillings current money and the coſts of impriſonment.

Proviſo.

XXXIX. PROVIDED ALWAYS, AND BE IT ENACTED, That the commiſſioners of the tax in each county may releaſe the above payments, or either of them, to ſuch married men of the above deſcription, as ſhall make it appear, to their ſatisfaction, that they have a large family of ſmall children, or are otherwiſe unable to pay ſuch aſſeſſment.

What perſons are paupers.

XL. AND, to aſcertain what perſons ſhall be deemed paupers, and not liable to pay any aſſeſſment for the ſupport of government, BE IT ENACTED AND DECLARED, That all perſons (not included in the above deſcription,) whoſe property ſhall not be valued above ten pounds current money, ſhall be and are hereby declared paupers, and ſhall not be chargeable with any tax to the ſupport of government.

Collector's fees.

XLI. AND BE IT ENACTED, That if any collector ſhall be obliged to enforce the collection of the aſſeſſment by diſtreſs and ſale, or by execution of the perſon, he ſhall receive the ſame fees as the ſheriff is entitled to by law for the like ſervice, payable in current money.

Debtors may deduct, &c.

XLII. AND BE IT ENACTED, That from all intereſt of money or tobacco which ſhall become due between the firſt day of January, ſeventeen hundred and eighty-five, and the firſt day of January, ſeventeen hundred and eighty-ſix, if paid at the time it becomes due, or within one month thereafter, the debtor may deduct one twelfth part of the ſaid intereſt, any agreement to the contrary notwithſtanding, and any contract hereafter made to the contrary ſhall be void in law; and if any creditor ſhall refuſe to allow ſuch deduction, he ſhall forfeit treble the ſum of money or quantity of tobacco by him ſo refuſed to be deducted, to the uſe of ſuch debtor, and ſuch debtor may recover the forfeiture on warrant before a juſtice of the peace, if the ſum does not exceed his juriſdiction, and if it does, by action at law, as for money or tobacco received to his uſe.

Suits, when to be commenced, &c.

XLIII. AND BE IT ENACTED, That if any ſuit ſhall be brought againſt any perſon for any thing done in purſuance of this act, the ſuit ſhall be commenced within ſix months after the fact committed, and the defendant in any ſuit may plead the general iſſue, and give this act and the ſpecial matter in evidence, and that the ſame was done in purſuance and by authority of this act, and if it ſhall appear ſo to be done, or if any ſuit ſhall be brought after the time limitted, then the jury ſhall find for the defendant, and if the plaintiff ſhall become nonſuit, or ſuffer a diſcontinuance, or if a verdict ſhall paſs, or upon demurrer judgment ſhall be given, againſt him, the defendant ſhall recover treble coſts, and have ſuch remedy for the ſame as any defendant hath for coſts of ſuit in other caſes at law.

Collector to deliver an account, &c.

XLIV. AND BE IT ENACTED, That the collector of the tax ſhall deliver to each perſon chargeable with property in their reſpective counties a copy of the amount of their property, with the rate thereon, on or before the firſt day of September next, under the penalty of twenty pounds current money.

Coin, &c. to be remitted, &c.

XLV. AND BE IT ENACTED, That the coin received in virtue of this act, or continental bank notes, if to be procured, (not exceeding one half of the whole aſſeſſment,) be remitted to the continental treaſury, and that the reſidue be appropriated to diſcharge the civil liſt, and in ſuch other manner as the general aſſembly ſhall direct.

Copies to be printed, &c.

XLVI. AND BE IT ENACTED, That Mr. Frederick Green, printer, according to his agreement with the houſe of delegates, ſhall print, and ſtitch in blue paper covers, five hundred copies of this

this act, and make up into eighteen parcels of twenty-seven copies each, directed to the commissioners named in this act for the several counties; and each commissioner shall keep one of the said copies for his own use, and the others shall, by the said commissioners, be distributed to the delegates and justices of the peace in their respective counties; which parcels the said printer shall endorse for the public service, and deliver to the sheriff of Anne-Arundel county on or before the first day of February, seventeen hundred and eighty-five, under the penalty of twenty pounds, and the several sheriffs are hereby required to forward them in the same manner as public letters; and the printer shall deliver the residue of such copies to the clerks of the senate and house of delegates. CHAP. LVI.

CHAP. LVII.

An ACT for the relief of James Armstrong, of Baltimore county, and Robert Wood, of Frederick county, insolvent debtors. Lib. TBH. No. A. fol. 509. A Private Act. Passed 22d of Jan. 1785.

CHAP. LVIII.

A Bill, entitled, An act to secure the payment, and to give a recovery, of money lent by foreigners to citizens of this state on mortgage of lands. Lib. TBH. No. A. fol. 510.

WHEREAS it may prove advantageous to citizens of this state, were foreigners enabled to lend them money on mortgages, and such loans may conduce much to the improvement of the country; Preamble.

II. BE IT ENACTED, *by the General Assembly of Maryland*, That on the actual loan of money by any foreigner to any citizen of this state, on an interest or premium not exceeding six *per cent.* by the year, (the present legal rate of interest,) any mortgage made for the security of the principal lent, and the interest agreed to be paid therefor, acknowledged and recorded as mortgages and deeds are to prevent frauds directed by law to be acknowledged and recorded, shall be good and valid, and shall stand and be a security, according to the purport and intent thereof, for a compliance on the part of the mortgagor, his heirs, executors and administrators, with the terms and conditions of such mortgages, and that although there should be no covenant or express agreement contained in such mortgage for the payment of such principal money and interest, the mortgagor, his heirs, executors and administrators, shall be bound to pay the principal money and interest, as if express covenants were contained in the deed of mortgage for that purpose. Certain loans valid, &c.

III. AND BE IT ENACTED, That if the mortgagor, his heirs, executors or administrators, shall not pay the principal money and interest, agreeable to the purport and intent of any such mortgage, the court of chancery may and shall, as speedily as the case will permit, foreclose such mortgagor, his heirs, executors, administrators and assigns, of their equity of redemption in the mortgaged premises, and order and direct a sale thereof, or of such part as may be necessary to raise and satisfy all principal and interest due, with costs, and if any part of the mortgaged premises remains unsold, by order to reinstate the mortgagor, or person entitled under him, whose former legal estate shall be restored by virtue of such order and this act; but if sufficient cannot be raised by such sale, then the court of chancery may and shall decree the balance to be paid by such mortgagor, his heirs, executors or administrators, and by process compel a full compliance with such decree; and this legislature plight and engage the faith and honour of this state, that in no event (even in the case of war, if such should unhappily take place,) will the legislature interfere, or prevent in any degree this course of justice, on any foreign loan made on any such security, but the courts of justice shall remain open, and any foreigner receiving or recovering his money, may freely carry the same out of this state. Court of chancery may foreclose, &c.

CHAP. LIX.

An ACT to vest certain powers in the intendant of the revenue respecting Nanticoke manor. Lib. TBH. No. A. fol. 511.

CHAP. LX.

An ACT for the benefit of Mary Fitzhugh, the wife of George Fitzhugh, of Baltimore county. Lib. TBH. No. A. fol. 512. A Private Act.

CHAP. LXI.

An ACT to regulate auctions in Baltimore-town, in Baltimore county. Lib. TBH. No. A. fol. 513.

This act was to continue one year, &c. Continued by 1785, ch. 77, for three years, &c. Expired.

CHAP.

CHAP. LXII.

Paſſed 22d of Jan. 1785.

An ACT for eſtabliſhing new markets, and building market-houſes, in Baltimore-town, and for the regulation of ſaid markets. Lib. TBH. No. A. fol. 516.

Supplementary and other acts November, 1765, ch. 34, 1785, ch. 33, May, 1788, ch. 17.

Preamble. WHEREAS it has been repreſented to this general aſſembly, that the preſent market-houſe is inſufficient for the uſe of Baltimore-town, and that two convenient places may be had for erecting new market-houſes, the one on that part of Baltimore-town commonly called Harriſon's Marſh, and the other to the weſtward of the baſon of Baltimore-town; therefore,

Market-houſe to be built, &c. II. BE IT ENACTED, *by the General Aſſembly of Maryland*, That Samuel Smith, William Patterſon, John M'Lure, David Harris, Thomas Yates, James Jaffray, Englehard Yieſer, Abraham Vanbibber and Thomas Elliott, or a major part of them, ſhall have full power and authority by this act to build and erect a market-houſe on a parcel of ground ſituate in the ſaid town, oppoſite Harriſon-ſtreet, beginning on Baltimore-ſtreet, and running thence ſouth, parallel with Gay-ſtreet, of the width of one hundred and fifty feet, to Water-ſtreet, with the privilege of extending the ſame to the channel; and that the ſaid market-houſe, when erected, and the ground whereon the ſame ſhall be built, with the privilege aforeſaid, ſhall be, and is hereby declared to be, veſted in the commiſſioners of Baltimore-town and their ſucceſſors, for ever, from and immediately after the ſaid market-houſe ſhall be built and erected, to hold, poſſeſs and enjoy, the ſame market-houſe, ground, and privilege aforeſaid, to and for the uſe and benefit of the ſaid town, in as full and ample manner as if the ſaid commiſſioners had been legally conſtituted a body politic and corporate in deed and in name; provided always, that the ſaid Samuel Smith, William Patterſon, John M'Lure, David Harris, Thomas Yates, James Jaffray, Englehard Yieſer, Abraham Vanbibber and Thomas Elliott, or a major part of them, ſhall, on or before the fifth day of March next, enter into a bond, in the penalty of five thouſand pounds current money, payable to the commiſſioners of Baltimore-town and their ſucceſſors, with condition, that they the ſaid Samuel Smith, William Patterſon, John M'Lure, David Harris, Thomas Yates, James Jaffray, Englehard Yieſer, Abraham Vanbibber and Thomas Elliott, or a major part of them, ſhall erect and build the ſaid market-houſe in a good ſubſtantial workman-like manner, according to ſuch plan and dimenſions as the commiſſioners of Baltimore-town ſhall approve, on or before the firſt day of March, in the year one thouſand ſeven hundred and eighty-ſeven.

Another to be built weſt of the baſon, &c. III. AND BE IT ALSO ENACTED, That colonel John Eager Howard, William Hammond, Jonathan Hudſon, William Goodwin, doctor Lyde Goodwin and Leonard Harbaugh, or a major part of them, ſhall have full powers and authority by this act to build and erect a market-houſe on a ſpace or parcel of ground to the weſtward of the baſon, ſituate in a ſquare extending and bounding on Hanover-ſtreet one hundred and ſixty-ſix feet, and on Cambden-ſtreet one hundred and ninety-eight feet, and that the ſaid market-houſe when erected, and the ſaid ſquare of ground on which it ſhall be built, ſhall be, and is hereby declared to be, veſted in the commiſſioners of Baltimore-town and their ſucceſſors, from and immediately after the ſaid market-houſe ſhall be built and erected, to hold, poſſeſs and enjoy the ſame, to and for the uſe and benefit of the ſaid town, in as full and ample manner, as if they the ſaid commiſſioners had been legally conſtituted a body politic and corporate as aforeſaid; provided always, that the ſaid John Eager Howard, William Hammond, Jonathan Hudſon, William Goodwin, Lyde Goodwin, Leonard Harbaugh, or a major part of them, ſhall in like manner, on or before the firſt day of March next, enter into bond, in the penalty of three thouſand pounds current money, payable to the ſaid commiſſioners and their ſucceſſors, with condition, that they the ſaid John Eager Howard, William Hammond, Jonathan Hudſon, William Goodwin, Lyde Goodwin and Leonard Harbaugh, or a major part of them, ſhall erect and build the ſaid market-houſe in a good ſubſtantial and workman-like manner, according to ſuch plan and dimenſions as the ſaid commiſſioners of the ſaid town, or the major part of them, ſhall approve, on or before the ſaid firſt day of March, in the year of our Lord one thouſand ſeven hundred and eighty-ſeven.

Ground to be ſold, &c. IV. AND BE IT FURTHER ENACTED, That the commiſſioners of Baltimore-town, or a major part of them, ſhall have full power and authority, as ſoon as conveniently may be after the new market-houſe on the ſaid marſh ſhall be extended and built up for the length of three hundred feet from Baltimore-ſtreet, to lay off the ground which was heretofore leaſed for the uſe of the preſent market-houſe into convenient lots, and the ſame, together with the buildings thereon, ſet up and expoſe to public ſale to the higheſt bidder, under ſuch conditions as they may think proper, and three fourths

of

of the monies ariſing from the ſale of the ſame, when ſold, to appropriate for building and erecting the ſaid new market-houſe on the ſaid marſh, and completing the public wharfs adjoining the ſame; and the ſaid commiſſioners, or a major part, are hereby authoriſed to make and execute, in due form of law, proper deeds of conveyance to the purchaſer or purchaſers of the ſaid lots of ground, or any part thereof, on payment of the purchaſe money for the ſame; and the ſaid commiſſioners are hereby authoriſed to appropriate the one fourth part of the ſaid money for the purpoſe of defraying and reimburſing the expence of building the ſaid market-houſe, by this act eſtabliſhed, to the weſtward of the baſon of Baltimore-town. CHAP. LXII.

V. AND BE IT FURTHER ENACTED, That all and ſingular the regulations and proviſions reſpecting the preſent market and market-houſe, in an act of aſſembly to confirm a leaſe made by Thomas Harriſon, of Baltimore county, for part of a lot of land therein mentioned, lying in Baltimore-town, in ſaid county, to the commiſſioners of the ſaid town and their ſucceſſors, and to eſtabliſh a market in the ſaid town, and for the regulation of the ſaid market, paſſed in the year ſeventeen hundred and ſixty-five, * ſhall be in force and be executed, and extend and be conſtrued to extend to the markets and market-houſes by this act to be built and eſtabliſhed, in as full and ample manner as if the ſame were herein enumerated and enacted, except only ſuch part thereof as relates to the days on which the market ſhall be held, which ſhall not be extended to the ſaid market-houſe to the weſtward of the ſaid baſon, but the ſaid market-days, for the laſt mentioned market, ſhall be on the Mondays and Thurſdays of every week. Regulations to be in force, &c.

* Chapter 34.

By 1785, ch. 33, the regulations in this act, (except as to the market-days,) are to extend to the market on Fell's Point eſtabliſhed by that act.

See the act of 1796, ch. 68, by which the powers given by this and other acts are transferred to the corporation of the city of Baltimore, and by the ſame act the corporation is empowered to erect and regulate markets.

CHAP. LXIII.

An ACT to authoriſe and empower the proprietors of Cranberry ſwamp, in Harford county, to reclaim and drain the ſame. Lib. TBH. No. A. fol. 519. A Private Act. Paſſed 22d of Jan. 1783.

CHAP. LXIV.

A Supplementary act to the act, (a) entitled, An act to incorporate the managers of Back creek ſchool. Lib. TBH. No. A. fol. 521.

(a) November, 1779, ch. 15.

WHEREAS the truſtees of Waſhington academy, in Somerſet county, have repreſented to this general aſſembly, that by the act, entitled, An act to incorporate the managers of Back creek ſchool, direction and powers are given for the election of truſtees in the room and place of truſtees dying or removing out of the county, but no proviſion is made by the ſaid act to fill up the ſeat and place of any truſtee who may neglect to qualify after having been appointed, or who may reſign his ſeat, or abſent himſelf from the meeting of the ſaid truſtees, by which much damage and ſeveral inconveniencies have and may happen to the ſaid academy; for remedy whereof, Preamble.

II. BE IT ENACTED, *by the General Aſſembly of Maryland*, That in caſe any perſon heretofore named or elected, or that ſhall hereafter be elected, a truſtee of the ſaid academy, have or ſhall reſign his ſeat, or have neglected or ſhall neglect to qualify or attend at two ſucceeding half yearly meetings of the ſaid truſtees appointed by the ſaid act of aſſembly, without ſuch excuſe of neceſſary abſence as ſhall be judged reaſonable by a board of the ſaid truſtees duly aſſembled at one of the half yearly meetings aforeſaid, ſuch board of truſtees, ſo aſſembled, ſhall proceed to fill up the ſeat and place of ſuch member who ſhall reſign his ſeat, or who ſhall neglect or have neglected to qualify or attend as aforeſaid. How vacancies are to be filled.

III. AND, whereas the ſaid truſtees have further repreſented, that in order to render the ſaid inſtitution more extenſively uſeful to the youth in the counties adjacent to the ſame, they have determined to extend the ſyſtem of education, ſo as to have taught in the ſaid academy not only the languages, but all the arts and ſciences, and that many perſons in the counties of Dorcheſter, Somerſet and Worceſter, in this ſtate, Accomack and Northampton in the ſtate of Virginia, and Suſſex county in the Delaware ſtate, have ſubſcribed to the amount of upwards of five thouſand pounds for that purpoſe; and alſo that a greater number of truſtees might be for the advantage of the ſaid academy, and have by the ſaid petition expreſſed a deſire the number may be increaſed to eighteen, and that truſtees may be choſen from the counties aforeſaid which contributed for the ſupport of the ſaid academy; all which appearing to this aſſembly to be juſt and reaſonable, and they being deſirous

CHAP. LXIV.

Number may be increaſed, &c.

ſirous by all lawful ways and means to encourage and promote knowledge within this ſtate, on which liberty and public happineſs ſo much depends; therefore, BE IT ENACTED, That the truſtees of the ſaid academy ſhall and may, at their next half yearly meetings, increaſe the number of truſtees for the ſaid academy to the number of eighteen, by an election or appointment of ſuch perſons as ſhall appear to them moſt proper, from the counties of Dorcheſter, Somerſet and Worceſter, in this ſtate, Accomack and Northampton in the ſtate of Virginia, and Suſſex county in the ſtate of Delaware; and that the ſaid truſtees and their ſucceſſors ſhall and may, at all times hereafter, fill up any vacancies that may be, by an election of a perſon or perſons from any of the counties aforeſaid.

Truſtees to qualify, &c.

IV. AND BE IT FURTHER ENACTED, That all perſons who may be elected in purſuance of this act ſhall qualify in the ſame manner, and on ſuch qualifications have and be inveſted with all the powers and authority which the preſent truſtees have and are inveſted with by the ſaid act for incorporating the managers of Back creek ſchool.

Not to be diſqualified, &c.

V. AND BE IT FURTHER ENACTED, That no truſtee of the ſaid academy ſhall hereafter be diſqualified on account of removal, unleſs he ſhall remove to ſome place not within any of the counties aforeſaid, and that if any of the preſent truſtees, or any that ſhall hereafter be elected a truſtee, ſhall remove to any place not within the counties aforeſaid, then it ſhall and may be lawful for the ſaid truſtees, at their next half yearly meeting, to elect and chooſe ſome perſon within the counties aforeſaid in the room and place of ſuch truſtee removed as aforeſaid.

Eight may act.

VI. AND, whereas it may be at ſome times inconvenient for a majority of the eighteen truſtees to meet for tranſacting the buſineſs of the ſaid academy, BE IT FURTHER ENACTED, That after the next half yearly meeting of the ſaid truſtees, any eight or more of the ſaid truſtees ſhall be and are hereby declared to be a quorum, and are hereby empowered to meet at the ſaid academy from time to time, and they ſo met, may do any act, matter or thing, which a majority of the eighteen truſtees might do, any thing in any law to the contrary notwithſtanding.

CHAP. LXV.

Paſſed 22d of Jan. 1785.

An ACT to limit the time for bringing and ſettling claims againſt this ſtate. Lib. TBH. No. A. fol. 523.

Another act 1785, ch. 10.

Time for ſettling claims, &c.

BE IT ENACTED, *by the General Aſſembly of Maryland*, That all claims upon this ſtate by any citizen thereof, which have ariſen before the tenth day of January, ſeventeen hundred and eighty-five, ſhall be brought in, liquidated and ſettled, on or before the tenth day of November, ſeventeen hundred and eighty-five, and no claim againſt the ſtate by any citizen thereof, which did ariſe on any account or tranſaction whatſoever before the ſaid tenth day of January, ſeventeen hundred and eighty-five, ſhall, after the ſaid tenth day of November, ſeventeen hundred and eighty-five, (a) be paſſed or ſettled by the auditor or intendant, or paid by this ſtate, unleſs the perſon having ſuch claim is or ſhall be an infant, *non compos mentis*, or *feme-covert*, or be out of this ſtate, in which caſes one year ſhall be allowed to ſuch perſons reſpectively after the diſability removed, or the perſon ſo being out of the ſtate returns, to bring in and ſettle ſuch claim.

(a) By 1785, ch. 10, the time is extended for citizens of this ſtate to the firſt of June, 1786, (except claims for the depreciation and pay of the army previous to the firſt of Auguſt, 1780,) and for citizens of any other ſtate to 1ſt of December, 1786.

CHAP. LXVI.

A Supplement to the act (b) for making the river Suſquehanna navigable from the line of this ſtate to tide water. Lib. TBH. No. A. fol. 524.

(b) November, 1783, ch. 23.

Preamble.

WHEREAS it is neceſſary to aſcertain with preciſion the tolls to be received by the proprietors of the Suſquehanna canal, and to adjuſt them in ſuch manner as that they may be proportionate to the comparative value of the commodities which ſhall be tranſported through the ſaid canal: And whereas the ſaid corporation have already made a conſiderable progreſs in the ſaid undertaking, and are proſecuting the ſame with great activity, and this aſſembly being willing and deſirous to give every proper encouragement to induce them to continue their exertions, from a firm conviction that the accompliſhment thereof will extend the commerce of the ſtate, and be of general utility and advantage;

II. BE

CHAP. LXVI. Canal, &c. veſted in proprietors, &c.

II. BE IT ENACTED, *by the General Aſſembly of Maryland*, That the ſaid canal, locks and other works, with their profits and advantages reſpectively, ſhall be and the ſame are hereby veſted in the proprietors of the Suſquehanna canal, their heirs, ſucceſſors and aſſigns, for ever, as tenants in common, according to their reſpective ſhares, and the ſame ſhall be deemed real eſtate, and ſhall not be ſubject or liable to pay any tax, impoſition, duty or aſſeſſment, whatſoever; and that it ſhall and may be lawful for the ſaid corporation, at all times for ever hereafter, to demand and receive, at ſuch place or places on the ſaid canal as they ſhall hereafter adjudge and determine to be moſt convenient, for all merchandiſe and commodities tranſported through the ſaid canal, ſuch tolls as are mentioned and enumerated in the following table of rates; that is to ſay, provided always, that ſuch exemption from taxation ſhall extend to ſuch works as relate merely to, and are neceſſary for, the navigation of ſaid canal.

Every pipe or hogſhead of wine containing more than ſixty-five gallons,	3 0
Every hogſhead of rum or other ſpirits,	2 6
Every hogſhead of tobacco,	2 0
Every caſk between ſixty-five and thirty-five gallons, one half of a pipe or hogſhead; barrels, one fourth part; and ſmaller caſks or kegs in proportion, according to the quality and quantity of their contents of wine or ſpirits.	
For caſks of linſeed oil, the ſame as ſpirits.	
Every buſhel of wheat, peas, beans or flax-ſeed,	0 1
Every buſhel of Indian corn or other grain, or ſalt,	0 0½
Every barrel of pork,	1 0
Every barrel of beef,	0 8
Every barrel of flour,	0 4
Every tun of hemp, flax, pot-aſh, bar or manufactured iron,	4 0
Every tun of pig-iron or caſtings,	1 8
Every tun of copper, lead or other ore, other than iron ore,	4 0
Every tun of ſtone or iron ore,	0 10
Every hundred buſhels of lime,	2 6
Every chaldron of coals,	0 10
Every hundred pipe ſtaves,	0 4½
Every hundred hogſhead ſtaves, or pipe or hogſhead heading,	0 3
Every hundred barrel ſtaves, or barrel heading,	0 2
Every hundred cubic feet of plank or ſcantling,	1 8
Every hundred cubic feet of other timber,	0 11
Every groſs hundred weight of all other commodities or packages,	0 3
And every empty boat or veſſel which has not commodities on board to yield ſo much, except an empty boat or veſſel returning, whoſe load has already paid the toll aforeſaid, in which caſe ſhe is to repaſs toll free,	5 0

Which tolls are rated in current money, and may be diſcharged in foreign gold or ſilver coin of the preſent fineneſs, at the following rates, to wit:

	£.		
Spaniſh milled pieces of eight, or dollar,	£. 0	7	6
Other coined Spaniſh ſilver of equal fineneſs, per ounce,	0	8	6
Engliſh milled crowns,	0	8	4
French ſilver crowns,	0	8	4
Johannes, weighing eighteen pennyweight,	6	0	0
Half Johannes, weighing nine pennyweight,	3	0	0
Moidores, weighing ſix pennyweight eighteen grains,	2	5	0
Engliſh guineas, weighing five pennyweight ſix grains,	1	15	0
French ditto, weighing five ditto five grains,	1	14	6
Doubloons, weighing ſeventeen pennyweight,	5	12	0
Spaniſh piſtoles, weighing four pennyweight ſix grains,	1	8	0
French milled piſtoles, weighing four pennyweight and four grains,	1	7	6
Arabian chequins, weighing two pennyweight three grains,	0	13	9
Other gold (German excepted,) by the pennyweight,	0	6	8

But if any of the coin aforeſaid ſhould hereafter be rendered leſs valuable than they are at preſent, either by leſſening their weight, or therewith adding a greater quantity of alloy than is in them reſpectively at preſent, then ſo much of any of the ſaid coins, the value of which is ſo reduced, to be

received

CHAP. LXVI.

received for the tolls aforeſaid, as is equal in value to the ſaid coins in their preſent ſtate of fineneſs and weight, ſhall be payable for the ſaid tolls at their reduced value only.

Corporation may make by-laws, &c.

III. AND BE IT ENACTED, That it ſhall and may be lawful for the ſaid corporation to make ſuch by-laws and ordinances, to compel the payment of the ſaid tolls and duties ſo ſet and impoſed, as the ſaid corporation may think right and moſt effectual, and the ſaid tolls and duties ſhall become a perpetual revenue, for the ſole and excluſive benefit of the ſaid corporation and their ſucceſſors, for ever.

Part of an act repealed.

IV. AND BE IT ENACTED, That ſo much of the clauſe in the ſaid act to which this is a ſupplement, as empowers the ſaid corporation to impoſe and ſet ſuch tolls and duties on all boats, other veſſels and rafts, which may paſs up or down the ſaid canal, not exceeding the ſum of one ſhilling current money per tun, carpenters meaſure, be and it is hereby repealed.

Shares may be transferred, &c.

V. AND BE IT ENACTED, That it ſhall and may be lawful for each of the ſaid proprietors to transfer his ſhare or ſhares, part or parts of ſhares, by deed executed before, and atteſted by, two witneſſes, which ſaid deed ſhall be lodged with the ſecretary of the ſaid corporation within three months after the date thereof, otherwiſe it ſhall be void; and the ſecretary of the ſaid corporation ſhall, and he is hereby directed, to enter the ſaid deed among the records of the ſaid corporation within twenty days after receiving the ſame, under the penalty of ten pounds current money, to be recovered in the ſame manner as the ſubſcription money of the proprietors of the Suſquehanna canal can be recovered by the act to which this is a ſupplement; and to aſcertain the time of receiving the ſaid deed, the ſaid ſecretary is hereby directed to endorſe the ſame on the ſaid deed, under the penalty of one hundred pounds current money, to be recovered as aforeſaid; and it ſhall not be lawful for any proprietor to make any transfer of his ſhare or ſhares, part or parts thereof, otherwiſe, except it be by deviſe, which ſhall be exhibited to the ſaid ſecretary, and regiſtered by him among the records of the ſaid corporation, within twenty days after receiving the ſame, the time of receiving the ſaid exhibit to be endorſed by the ſaid ſecretary on the ſame, under the penalty of one hundred pounds current money, to be recovered as aforeſaid, and the deviſee or deviſees, before they ſhall be entitled to receive any benefit or advantage under the deviſe, ſhall exhibit the ſame to the ſaid ſecretary; provided always, that no ſhare or part thereof ſhall at any time be ſold, conveyed, transferred or held in truſt, for the uſe and benefit, or in the name of another, whereby the ſaid corporation, or any of the members thereof, ſhall or may be challenged or made to anſwer concerning any truſt, but that every perſon appearing as aforeſaid to be a proprietor, ſhall, as to the others of the ſaid company, be to every intent taken abſolutely as ſuch, but as between any truſtee and the perſon for whoſe benefit any truſt ſhall be created, the common remedy may be purſued.

CHAP. LXVII.

Paſſed 22d of Jan. 1785.

An ACT to inveſt congreſs with certain powers reſpecting the commerce of the United States. Lib. TBH. No. A. fol. 528.

CHAP. LXVIII.

An ACT to ſettle and pay the civil liſt, and other expences of civil government. Lib. TBH. No. A. fol. 528.

CHAP. LXIX.

An ACT for the eſtabliſhment and regulation of a night watch, and the erection of lamps, in Baltimore-town, in Baltimore county, Lib. TBH. No. A. fol. 530.

Supplementary and other acts November, 1792, ch. 69, 1796, ch. 68, 1793, ch. 57.

Preamble.

WHEREAS the ordering and regulating a watch, and enlightening the ſtreets, lanes and alleys, in the night time, in Baltimore-town, in Baltimore county, is of very great importance for the preſervation of the perſons and properties of the inhabitants thereof, and very neceſſary to prevent fires, burglaries, and other outrages and diſorders,

Commiſſioners to meet, &c.

II. BE IT ENACTED, *by the General Aſſembly of Maryland*, That the commiſſioners of Baltimore-town, or a major part of them, are hereby authoriſed and directed, to meet at ſuch times and places as they ſhall think proper, and may, from time to time, during the continuance of this act, contract with fit and proper perſons to erect, put up and fix, any number of lamps, in ſuch parts and places in the ſaid town as to them ſhall ſeem meet and expedient, and to contract with any perſon or perſons

ſons for the lighting, trimming, ſnuffing, ſupplying, maintaining, and repairing them, and ſhall likewiſe from time to time order, appoint, hire and employ, as many watchmen as they ſhall judge neceſſary, and ſhall then and there direct and order what wages ſhall be given them, and if any of the ſaid watchmen die within the time for which they were appointed, or ſhall be negligent in their duty, or be guilty of any miſbehaviour, it ſhall and may be lawful for the commiſſioners aforeſaid, or a major part of them, at any intermediate time of the year, to remove any of the ſaid watchmen ſo appointed, and to employ, hire and appoint, one or more perſons fitly qualified in the room and ſtead of him or them ſo dying, neglecting his duty, or miſbehaving, as aforeſaid.

Their powers.

III. AND BE IT ENACTED, That each of the commiſſioners aforeſaid, for the time being, ſhall have all the powers and juriſdictions of a juſtice of the peace within ſaid town, and they, or a major part of them, ſhall have full power and authority to appoint any number of perſons of good character, to be conſtables in ſaid town.

To appoint ſtands, &c.

IV. AND BE IT ENACTED, That the commiſſioners aforeſaid, or a major part of them, ſhall, as ſoon as they conveniently can, direct and ſet down in writing, at what ſtands it is fit for the ſaid watchmen to be placed, how often they ſhall go the rounds, and alſo appoint the rounds each watchman is to go, and ſhall, from time to time, make ſuch further and other orders and regulations for the better government of the ſaid watchmen, as the nature of the caſe ſhall require.

Orders to be copied, &c.

V. AND BE IT ENACTED, That a true copy of all orders, regulations, nominations and appointments, which ſhall from time to time be ſo made for the better direction and government of the watchmen, ſhall be fairly printed or written, and ſigned by the commiſſioners aforeſaid, or a major part of them, and ſhall be delivered to the watchmen aforeſaid.

Conſtables to attend, &c.

VI. AND BE IT ENACTED, That one or more of the conſtables in ſaid town, as by orders and regulations ſhall be thought neceſſary, ſhall attend at the court-houſe, or ſome other convenient place to be appointed by the commiſſioners, or a major part of them, aforeſaid, ſhall appoint, and keep watch and ward in manner following, to wit: From the tenth of September to the tenth of March in every year, from eight in the evening to ſix in the morning; and from the tenth of March to the tenth of September in every year, from nine in the evening to four in the morning; and the conſtables ſhall, in their ſeveral turns and courſes of watching, uſe their beſt endeavours to prevent fires, murders, burglaries, robberies, and other outrages and diſorders, within ſaid town, and to that end ſhall, and they are hereby empowered, directed and required, to arreſt and apprehend all night-walkers, malefactors, and other ſuſpected perſons, who ſhall be found wandering and miſbehaving themſelves, and ſhall carry the perſons ſo apprehended, as ſoon as they conveniently can, before one or more juſtices of the peace, or commiſſioner, in ſaid town, to be examined and dealt with according to law, and ſhall once, or oftener, at convenient times of the night, go about the ſeveral ſtands in ſaid town, and ſhall take notice whether the watchmen perform their duties in their ſeveral ſtations, according to the regulations made for that purpoſe, and in caſe any watchman miſbehaves or neglects his duty, the conſtable ſhall immediately give notice to the commiſſioners aforeſaid, or any of them, that the watchman may be admoniſhed or diſcharged, as the ſervice may require; and the ſaid conſtable ſhall obſerve, keep and perform, all ſuch rules and regulations as ſhall be made by the ſaid commiſſioners for their good government, and in caſe of miſbehaviour or neglect, may be admoniſhed or diſcharged in the ſame manner as the watchmen; and the ſaid conſtables, for every night watching, ſhall be paid by the commiſſioners aforeſaid ſuch ſum of money as they, or a major part of them, ſhall think reaſonable.

Penalty on neglect of duty, &c.

VII. AND BE IT ENACTED, That if any of the ſaid conſtables ſhall neglect to attend any night in his turn to keep watch and ward at the reſpective hours appointed by this act, or ſhall depart from or leave keeping watch during the reſpective hours appointed for keeping the ſame, or ſhall neglect to go about the ſeveral ſtands of ſaid town once at leaſt in every night of his ſaid watching, or ſhall otherwiſe miſbehave or neglect his duty, in each or every ſaid caſe, the perſon ſo offending ſhall forfeit and pay the ſum of twenty ſhillings.

Duty of watchmen.

VIII. AND BE IT ENACTED, That the watchmen are hereby empowered, required and directed, in their ſeveral ſtations, during the time of their keeping watch, to apprehend all night-walkers, malefactors, rogues, vagabonds and diſorderly perſons, whom they ſhall find diſturbing the peace, or ſhall have juſt cauſe to ſuſpect of any evil deſigns, and to carry the perſon as ſoon as convenient before ſome juſtice or commiſſioner in ſaid town, to be examined and dealt with according to law; and the watchmen ſhall be at their reſpective ſtands and keep watch at the hours by law required,

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and ſhall obſerve, perform and execute, all ſuch rules, orders and regulations, as ſhall be from time to time enjoined upon them, and in caſe of any fire breaking out, or other great neceſſity, ſhall alarm each other, and the inhabitants in their reſpective rounds, which when done they ſhall repair to their reſpective ſtands, the better to diſcover any other fire that may happen, as well as to prevent any burglaries, robberies, outrages or diſorders, and to apprehend any ſuſpected perſons, who in ſuch times of confuſion may be felonioufly carrying off the goods and effects of others; and the ſaid watchmen are hereby inveſted with all the powers and authorities that conſtables are now inveſted with by law.

Penalty for breaking lamps, &c.

IX. AND BE IT ENACTED, That if any perſon ſhall wilfully or maliciouſly break, throw down, deſtroy or extinguiſh, any lamps that ſhall be hung up to light the ſtreets, lanes or alleys, in ſaid town, or ſhall wilfully damage the poſts, irons, ſentry boxes, or other furniture thereof, every perſon ſo offending, and being convicted by the oath or affirmation of one or more credible witneſſes before any commiſſioner or juſtice of the peace in ſaid town, ſhall forfeit and pay three pounds for each and every ſuch offence; and if any perſon ſhall, without deſign, or by accident, break, throw down or extinguiſh, any lamp aforeſaid, or damage any of the ſaid poſts, irons or ſentry boxes, or other furniture, and, having done the ſame, ſhall fail of giving notice thereof to ſome of the commiſſioners or juſtices in ſaid town within twelve hours thereafter, he ſhall be liable to the ſame forfeiture as if the ſame had been wilfully and maliciouſly done; but if timely notice be by him given as aforeſaid, he ſhall only pay ſuch coſts as in the judgment of the commiſſioner or juſtice will fully repair the damage done.

Slaves offending may be whipped, &c.

X. AND BE IT ENACTED, That if any ſlave be convicted of any of the offences created by this act, he ſhall be whipped on his bare back not exceeding thirty-nine laſhes, unleſs the owner of ſuch ſlave will pay the fine or repair the damage; and if any perſon under age, bound ſervant or apprentice, be convicted of incurring any penalty or damage under this act, the parent, guardian or owner, ſhall be obliged to pay the ſaid penalty or damage, in the ſame manner as if they had incurred the ſame; and all fines incurred under this act ſhall be recovered in the ſame manner as debts under five pounds, and ſhall be appropriated towards defraying the charges of the ſaid lamps and watches.

General iſſue pleadable.

XI. AND BE IT ENACTED, That if any perſon is ſued for any thing done in purſuance of this act, he may plead the general iſſue, and give this act and the ſpecial matter in evidence; and no perſons ſhall be proſecuted for miſbehaviour or neglect in the execution of this act, unleſs they are proſecuted within ſix months after ſuch offence committed.

Money to be levied, &c.

XII. AND, for the providing money for paying the wages of the conſtables and watchmen herein before mentioned, and other charges incident to keeping a well regulated watch, and for enlightening the ſtreets, lanes and alleys aforeſaid, and for keeping the lamps in good order, BE IT ENACTED, That it ſhall and may be lawful for the commiſſioners aforeſaid, or a major part of them, to meet at ſuch times and places as they ſhall think proper, to eſtimate, determine and judge, what ſums of money ſhall be neceſſary to be levied and raiſed on the inhabitants of ſaid town for anſwering the purpoſes intended by this act, and the commiſſioners aforeſaid, or major part of them, are hereby authoriſed and directed, to aſſeſs and levy a tax not exceeding one ſhilling and ſix-pence current money on every hundred pounds worth of property aſſeſſed within the ſaid town, which ſaid tax ſhall be levied and collected in the ſame manner, and under the ſame rules and regulations, as the public tax.

Property to be rated, &c.

XIII. AND, whereas the commiſſioners aforeſaid will want immediate ſums of money to enter upon the execution of the powers veſted in them in virtue of this act, BE IT ENACTED, That it ſhall and may be lawful for the ſaid commiſſioners, or a major part of them, to aſſeſs the tax for the preſent year upon the valuation of the property in the year ſeventeen hundred and eighty-three, and have the ſame collected as ſoon as may be, in order to anſwer the beneficial purpoſes intended by this act, and the county collector, after giving ten days notice, may execute for the ſame; and the ſaid collector ſhall give bond and good ſecurity to the ſaid commiſſioners for the faithful execution of the ſaid collection, and ſhall have the ſame reward, and be ſubject to the ſame penalties, as he is by law for the collection of the public taxes.

Money appropriated, &c.

XIV. AND, whereas the tax aforeſaid may not be ſufficient for the purpoſes aforeſaid BE IT ENACTED, That the two ſhillings and ſix-pence impoſed on property within the ſaid town by the act, (a) entitled, An act for the more effectual paving the ſtreets of Baltimore-town, in Baltimore county,

(a) November, 1782, ch. 17.

county, and for other purpoſes, and to be collected in ſeventeen hundred and eighty-five, together with the money ariſing from the auctioneer's office in ſaid town in ſeventeen hundred and eighty-five, ſhall be appropriated and applied to the purpoſes of this act.

By November, 1792, ch. 69, further taxes were directed to be levied, and that part of the act of 1792, was continued to the 30th of October, 1794, &c. by 1793, ch. 57, which directed the juſtices of the criminal court to levy the ſaid tax. By 1795, ch. 30, the ſame part of the act of 1792 was repealed, and the juſtices were directed to levy, in lieu thereof, a ſufficient ſum on the aſſeſſable property.

XV. AND BE IT ENACTED, That the commiſſioners aforeſaid, or a major part of them, ſhall appoint a treaſurer, who ſhall be ſubject to the ſame rules and regulations as the treaſurer appointed by the ſpecial commiſſioners of ſaid town. Treaſurer to be appointed, &c.

XVI. AND BE IT ENACTED, That the comptrollers of ſaid town are hereby authoriſed and required to aſcertain what allowance the ſaid commiſſioners ſhall be entitled to for the time employed in diſcharge of the ſeveral duties required by this act, which ſhall be paid in the ſame manner as the ſpecial commiſſioners are paid. Allowance to be aſcertained, &c.

XVII. AND, whereas the regulating the police of ſaid town will be attended with very conſiderable expence, BE IT ENACTED, That if the funds appropriated and applied by virtue of an act, * entitled, An act for founding a college upon the weſtern ſhore of this ſtate, and conſtituting the ſame, together with Waſhington college on the eaſtern ſhore, into one univerſity, by the name of The Univerſity of Maryland, ſhall be productive to the amount of the ſum of one thouſand ſeven hundred and fifty pounds current money, that then and in ſuch caſe the ſurplus, if any, of the monies collected from Baltimore-town for ordinary and retailers licences, ſhall be appropriated and applied to diſcharge part of the expences of this act. * Chapter 37. Funds appropriated, &c.

XVIII. AND BE IT ENACTED, That the commiſſioners aforeſaid ſhall return to the town clerk, from time to time, a juſt and true account, under their hands and ſeals, of the expenditures of all monies in virtue of this act, to be entered upon record amongſt the proceedings of the ſaid town, ſubject to the inſpection of the town comptrollers, who are authoriſed to examine and approve or diſapprove of the ſame, in the ſame manner as they are empowered by law to do with the ſpecial commiſſioners of the ſaid town. Account to be returned, &c.

XIX. This act to continue in force for three years, and until the end of the next ſeſſion of the general aſſembly thereafter. Duration.

Continued by 1787, ch. 38, for three years, &c. and by 1795, ch. 83, to 30th January, 1798; but it is declared by 1796, ch. 68, to be a perpetual law, ſubject to alterations, &c. to be made by the corporation or by the legiſlature, and by the ſame act the powers given by this and other acts are transferred to the corporation of the city of Baltimore.

CHAP. LXX.

An ACT to appoint an intendant of the revenue. Lib. TBH. No. A. fol. 536.

Paſſed 22d of Jan. 1785.

BE IT ENACTED, *by the General Aſſembly of Maryland*, That Daniel of Saint Thomas Jenifer, (who ſhall reſide at Annapolis,) be appointed intendant of the collection and expenditure of the public aſſeſſment and revenue, and all monies and tobacco belonging to this ſtate, for one year, to commence at the end of this ſeſſion of aſſembly. Intendant appointed, &c.

II. AND BE IT ENACTED, That the ſaid intendant be authoriſed to inſpect and take account of the public aſſeſſment and revenue, and all money, tobacco and other property, belonging to this ſtate, and to take due care that the ſame be not deſtroyed, waſted, miſapplied or embezzled, but managed and improved with the beſt economy, and to the utmoſt benefit of the public. To inſpect aſſeſſment, &c.

III. AND BE IT ENACTED, That the ſaid intendant be empowered to ſuperintend the collection of the public aſſeſſment now due, or to ariſe due, and to call on collectors thereof to render fair and full accounts of their collections, and to adjuſt the ſame, and make payment of the balances agreeably to law, and in caſe of refuſal or neglect, to enforce the punctual performance of their duty; and the ſaid intendant may, from ſpecial and peculiar circumſtances, by his order in writing to either of the treaſurers, or the clerk of the general court, direct that any collector's bond be not ſued, or, if ſued, that the action be continued or ſtruck off. To ſuperintend collection, &c.

IV. AND BE IT ENACTED, That the ſaid intendant be authoriſed to ſuperviſe the commiſſioners of the tax of the ſeveral counties, and to direct them in the execution of their office, and, in caſe of To ſuperviſe commiſſioners, &c.

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of their neglect to perform any of the duties required of them by law, to direct profecution againſt them; and it is declared to be the particular duty of the ſaid intendant to compel returns of the valuation of property in the ſeveral counties, and the ſummary account thereof, in the manner and by the time required by law, and to examine and report to the next general aſſembly his opinion thereon; and eſpecially to examine and compare the valuation of property in the ſeveral counties, and whether, by an average value of lands, ſlaves and other property, any inequality has taken place, and (if any,) the remedy to prevent the ſame in future.

To ſuperintend collection of duties, &c.

V. AND BE IT ENACTED, That the ſaid intendant be empowered to ſuperintend the collection or receipt of the revenue, or public monies, ariſing to the ſtate from duties, forfeitures, fines, ordinary or marriage licences, or the ſale of eſcheat or vacant lands, or in any other way, and to enforce punctual payment agreeably to law; and all officers intruſted to collect or receive the revenue ſhall be ſubject to his control and direction in the execution of their reſpective offices; and the commiſſioners of the tax in the ſeveral counties are directed to ſend to the intendant a copy of the account ſettled by them with the collector of their county; and the naval-officers ſhall tranſmit to the intendant a copy of their account as ſettled with the treaſurer of his ſhore; and the clerk of the general court, and the clerks of the ſeveral county courts, ſhall ſend to the intendant a copy of their accounts for fines, forfeitures and amerciaments, and for marriage and ordinary licences; and the regiſter in chancery ſhall deliver a copy of his account for fees received for ſeals to proceſs; and every other perſon concerned in the collection of public monies ſhall ſend a copy of their accounts to the ſaid intendant; and all the ſaid returns ſhall be annually made in the month of October, or oftener, if required by the intendant.

Superviſe the treaſurers, &c.

VI. AND BE IT ENACTED, That the ſaid intendant be authoriſed to ſuperviſe the treaſurers, and to direct them as to their conduct in office, and as to the mode of keeping and adjuſting their accounts; and to direct the auditor in his office, and the paſſing of the public accounts, and as to the mode of keeping and ſtating the public accounts, and particularly the account of this ſtate againſt the United States; and all accounts hereafter liquidated and paſſed by the auditor-general ſhall be preſented to the intendant, and if paſſed by him ſhall be entered on his books; and he is hereby empowered to draw an order or orders on the treaſurer for the ſame, which order or orders, and account, ſhall be carried back to the auditor, and by him entered on his books.

Inſpect debts, &c.

VII. AND BE IT ENACTED, That the ſaid intendant ſhall have authority to inſpect all debts due to or from the ſtate, and to call on all public debtors for ſettlement and payment, and to inquire into all contracts made by the public, and to call on the party for performance, and in caſe of refuſal or delay, to direct ſuits for the breach of contract; and the ſaid intendant may make compoſition, and releaſe the party, on ſuch terms as he may think proper; and all ſheriffs are ſtrictly enjoined to obey any ſummons for calling any debtor before the intendant, under the penalty of fifty pounds for every refuſal or neglect; and the ſaid intendant is to adopt ſome mode to obtain the amount of the claims of the public creditors on certificates, unſettled accounts, or otherwiſe.

And all expenditures, &c.

VIII. AND BE IT ENACTED, That the ſaid intendant be authoriſed to inſpect all expenditures of the ſtate, (ever keeping in view that prudence and economy are eſſentially neceſſary,) and to keep an account thereof, and to inſpect all records, books, papers and accounts, in any office; and all letters to or from his office ſhall be deemed public letters, and ſhall be forwarded as ſuch; and it is declared to be his duty to prepare eſtimates of the yearly expenditures, and to arrange and ſtate in one view every branch or ſource of revenue, and the amount or value of each, and the general heads of the yearly expenditures, and the whole amount thereof, and to ſtrike the balance of the expences, and the funds, and to lay them before the general aſſembly at their annual meeting in November, ſeventeen hundred and eighty-five, with his opinion as to the ways and means to procure the ſupplies; and it is declared to be the duty of the ſaid intendant to report his opinion if any officer or department is more expenſive than neceſſary, and to render an account at every ſeſſion of his office and the tranſactions therein; and the ſaid intendant is to conſult and adviſe with the governor and the council on the ſtate and management of the revenue, and public monies and tobacco, and the demands and debts of government; and on complaint made by the ſaid intendant of male-conduct by any of the officers under his control, the governor and council, on ſufficient proof thereof on hearing, or on default or delay to appear on notice, may remove ſuch officer and appoint another in his place; and the ſaid intendant may appoint a diſcreet and prudent perſon, ſkilful in accounts, to be his aſſiſtant, who, before he acts in his office, ſhall take an oath to keep ſecret, and not to diſcloſe, directly or indirectly, to any perſon, any matter or thing which he ſhall be directed by his principal to keep ſecret, unleſs to the ſenate or houſe of delegates, when required.

IX. AND

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IX. AND BE IT ENACTED, That the ſaid intendant, before he enters on the execution of his office, ſhall give bond before the governor and the council, with two good ſecurities, in the ſum of twenty thouſand pounds current money, with condition for the diligent and faithful performance of the ſeveral duties required of him by this act; and he ſhall alſo take an oath, faithfully and impartially to diſcharge the truſt repoſed in him by this act, to the beſt of his ſkill and knowledge. To give bond, &c.

X. AND BE IT ENACTED, That if the ſaid intendant ſhall refuſe to act, reſign, remove out of the ſtate, or die, in the receſs of the general aſſembly, the governor, with the advice of the council, may appoint a fit and proper perſon to ſuch vacant office, to hold the ſame until the end of the next ſeſſion of the general aſſembly which ſhall happen thereafter. How a vacancy is to be filled.

CHAP. LXXI.

An ACT to empower James Wignell to ſell the real eſtate of John Aſhburner, deceaſed, for the payment of his debts. Lib. TBH. No. A. fol. 539. A Private Act. Paſſed 22d of Jan. 1785.

CHAP. LXXII.

An ACT enabling the governor to exerciſe certain powers therein mentioned. Lib. TBH. No. A. fol. 541.

WHEREAS certain proviſions were made for the benefit and relief of diſabled and maimed officers, ſoldiers and mariners, by an act paſſed at the October ſeſſion, ſeventeen hundred and ſeventy-eight, * and the execution of the ſaid law was given to the juſtices of the orphans court in each county: And whereas the officers of the Maryland line under ſuch circumſtances, have petitioned the general aſſembly to place the execution of ſaid law in the hands of the governor, ſo far as ſaid law relates to commiſſioned officers; and it appearing reaſonable and proper to this general aſſembly to grant their petition, Preamble. * Chapter 14.

II. BE IT ENACTED, *by the General Aſſembly of Maryland*, That the execution of ſo much of ſaid law above recited as relates to commiſſioned officers of the Maryland line be placed in the hands of the governor, and he is hereby authoriſed to exerciſe the powers given by ſaid law, in as ample a manner as the juſtices of the orphans court were empowered to do. Execution placed in the governor, &c.

CHAP. LXXIII.

An ACT for the benefit of Thomas Bacon and James Bacon. Lib. TBH. No. A. fol. 541. A Private Act.

CHAP. LXXIV.

An ACT to repeal ſuch part of the acts (a) of aſſembly therein mentioned as authoriſed Thomas Contee to collect the debts of William Molleſon and of William and Robert Molleſon. Lib. TBH. No. A. fol. 542. A Private Act.

(a) April, 1782, ch. 46, November, 1782, ch. 18.

CHAP. LXXV.

An ACT to authoriſe the iſſuing grants for the lands therein mentioned. Lib. TBH. No. A. fol. 543.

Supplementary and other acts 1785, ch. 67, November, 1787, ch. 32.

WHEREAS, by the act, (b) entitled, An act to appropriate certain lands to the uſe of the officers and ſoldiers of this ſtate, and for the ſale of vacant lands, it was enacted, that all the lands within this ſtate in Waſhington county, weſtward of Fort Cumberland, and for which located warrants had not iſſued or ſurveys been made under common warrants, and were then *bonâ fide* the property of any ſubject of this or any of the United States, and on which the money had been actually paid, ſhould be and were thereby appropriated to diſcharge the engagement of lands thereto made to the officers and ſoldiers of this ſtate, and the reſidue to the uſe of the public, as the general aſſembly ſhould thereafter direct, and that no grant ſhould iſſue on any ſurvey made in virtue of ſuch warrants before the order of the general aſſembly: And whereas divers of the citizens of this ſtate are juſtly entitled to have their titles perfected in lands lying to the weſtward of Fort Cumberland, on certificates of ſurvey made before the paſſing of the ſaid act, in virtue of warrants fairly obtained and duly executed, and the with-holding their patents is not only prejudicial to them but injurious to the ſtate, in delaying the ſettlement and improvement of thoſe lands, Preamble.

II. BE

(b) November, 1781, ch. 20.

CHAP. LXXV.

Land confirmed, &c.

II. BE IT ENACTED, *by the General Assembly of Maryland*, That at any time after the first day of July next, a grant may issue in the usual mode to any citizen of this or any of the United States for any land within this state westward of Fort Cumberland, regularly surveyed by virtue of a special or common warrant obtained between the twenty-second day of March and the sixth day of October, in the year seventeen hundred and seventy-four, and for which the common consideration of one shilling sterling per acre was paid, and which certificates were, at the time of passing the said recited act, *bonâ fide* the property of any citizen of this or any of the United States.

Grant void, &c.

III. AND BE IT ENACTED, That any grant issued or to be issued for any land lying within any manor to the westward of Fort Cumberland shall be void, and so shall be held and adjudged in any court of law or equity within this state.

Certain grants void, &c.

IV. AND BE IT ENACTED, That if any grant hath been obtained, or shall hereafter be obtained, or any certificates returned in virtue of any warrant granted between the twenty-second day of March and the sixth day of October, in the year seventeen hundred and seventy-four, which certificate, at the time of passing the said recited act, was not *bonâ fide* the property of some citizen of this or some one of the United States, or for which the consideration aforesaid was not paid, such grant shall be void, and so shall be held and adjudged in any court of law or equity within this state; and the chancellor may offer to the person applying for a grant to be examined upon oath or interrogatories touching the matters aforesaid, and to examine witnesses respecting the same, in order that it may be discovered, in a summary manner, whether the certificates was, at the time of passing the above recited act, *bonâ fide* the property of some citizen of this or some of the United States, and the consideration was paid as aforesaid; and if the party shall refuse to be examined upon oath or interrogatories, and to have the matter inquired into in a summary manner, then the chancellor may note the same, and give information thereof to the attorney-general, who shall file a bill in chancery against such person for the discovery of the truth of the facts by the regular course of the proceeding in the chancery court; and if it shall appear to the chancellor, either upon examination in a summary way aforesaid, or upon a bill being filed as aforesaid, that the certificate upon which patent shall be applied for was not *bonâ fide* the property of some citizen of this or some of the United States at the time of passing the above recited act, or that the consideration was not paid as aforesaid, in every such case the chancellor shall not order grant to be issued on such certificates, but declare the same void and of none effect; and the register of the land-office shall endorse the chancellor's determination on the certificate, and shall make a note thereof in the margin of the record wherein the warrant upon which certificate was made hath been recorded.

Balance to be paid, &c.

V. AND, whereas it is represented to this general assembly, that on sale of lands by the commissioners of the late proprietary to citizens of this state, from the year seventeen hundred and sixty-seven to the year seventeen hundred and seventy-one, grants have not issued in some cases where the whole consideration was satisfied, and in other cases where part of the purchase money remained unpaid, BE IT ENACTED, That where all the purchase money for the sales as aforesaid has been paid, and in case where part only of the purchase money hath been paid, and any purchaser shall pay the balance due to the treasurer of the western shore, that in either case grant shall issue in the usual form to the purchaser and his heirs; and any money which shall by such purchaser be paid to the said treasurer as aforesaid, shall be by him paid to the legal representative of the late proprietary.

Grants void, &c.

VI. AND BE IT ENACTED, That if any grant has or shall hereafter issue for any lands to the westward of Fort Cumberland, on surveys or resurveys, in which vacancy is included, made in virtue of warrants granted on or after the sixth day of October, seventeen hundred and seventy-four, such grants shall be void, and so held and adjudged in all courts of law and equity.

Excess to be paid for, &c.

VII. AND, whereas there may have been surveys to the westward of Fort Cumberland made under warrants granted between the twenty-second day of March and sixth day of October, seventeen hundred and seventy-four, where the quantity expressed in the warrant has been exceeded, BE IT ENACTED, That grants may issue on any survey where the quantity expressed in the warrant has been exceeded not above one fourth, and such excess shall be paid for to the treasurer of the western shore.

By 1785, ch. 67, the chancellor is empowered to determine whether grants shall issue for such excess, &c.

CHAP.

CHAP. LXXVI.

Passed 22d of Jan. 1785.

A Supplement to the act (a) concerning the ſtock of the bank of England belonging to this ſtate. Lib. TBH. No. A. fol. 545.

(a) April, 1783, ch. 35.

Preamble.

WHEREAS in virtue of the ſaid act, Samuel Chaſe, Eſquire, was appointed and commiſſioned, by the governor and the council, agent and truſtee to execute the authority and truſt committed and given by the ſaid law to the perſon ſo to be appointed: And whereas it is repreſented to this general aſſembly by the ſaid agent, that in purſuance of ſuch appointment he went over to England in the month of September, ſeventeen hundred and eighty-three, in order to obtain a transfer of the ſaid bank ſtock, and the dividends that had accrued thereon, and for that purpoſe made many applications to Meſſieurs Grove and Ruſſell, (who ſurvived Hanbury, one of the truſtees of the ſaid bank ſtock,) but without any effect; that after five months delay Mr. Grove agreed to transfer the ſtock, but Mr. Ruſſell peremptorily refuſed, unleſs the ſtate, or the agent, would give him twelve thouſand pounds, part of the ſaid ſtock, as an equivalent for his property confiſcated by a law of this government made in the year ſeventeen hundred and eighty-one, and during the late war; that Ruſſell filed a bill in the court of chancery of Great-Britain againſt Grove and the agent, to prevent a transfer of the ſtock to the ſtate, and claimed, out of the ſtock, a compenſation for his property confiſcated by this government during the late war, on account of his conduct as truſtee; that the ſaid agent afterwards filed a bill, in his name, in the court of chancery of Great-Britain, againſt Meſſieurs Grove and Ruſſell, as truſtees for this ſtate of the ſaid bank ſtock, to compel an execution of their truſt, and to obtain a transfer of the ſtock to him, and againſt Meſſieurs Ewers and truſtees of John Buchanan, who ſet up ſome claim to the ſaid bank ſtock; that Ruſſell and Grove, by their anſwers to his bill, admitted that they held the ſaid bank ſtock in truſt, and it was ſo far proceeded in the ſaid cauſe, that the ſaid truſtees were ordered to transfer forty-four thouſand pounds bank ſtock to the accountant-general of the ſaid court of chancery, in truſt in the ſaid cauſe, and in conſequence of the ſaid order the ſaid truſtees did transfer the ſaid bank ſtock accordingly; that in the ſaid ſuit by the agent againſt the ſaid truſtees, on motion to transfer to the agent the ſurplus of the ſtock, not claimed by any of the defendants, the lord chancellor of Great-Britain rejected the motion, becauſe ſome other party was neceſſary to his bill, and the agent, underſtanding that the attorney-general of Great-Britain was the party meant, (which could only be neceſſary from the ſuppoſition that the crown of Great-Britain had ſome intereſt in, or claim to, the ſaid bank ſtock,) declined to proceed further in the ſaid cauſe without the direction of the general aſſembly: And whereas it is alſo further repreſented by the ſaid agent, that to the bill filed by Ruſſell againſt him he put in a general demurrer, (becauſe Ruſſell, on his caſe ſtated in his bill, was not entitled to the relief prayed for, to wit, a decree for compenſation out of the bank ſtock for his property confiſcated by this ſtate during the late war, for his conduct as truſtee,) which was allowed on argument by the lord chancellor of Great-Britain: And whereas the general aſſembly have declared, that the ſaid Samuel Chaſe, Eſquire, in conducting and negotiating the affairs of this ſtate lately intruſted to his care as agent, had manifeſted great zeal, fidelity, diligence and ability, and a vigilant attention to the honour and intereſt of this government, and that his ſaid conduct merited, and therefore had, the approbation of this general aſſembly: And whereas this legiſlature are willing to ſubmit the claims by Ruſſell, Meſſieurs Ewers, and the truſtees of Buchanan, to the determination of the lord chancellor of Great-Britain,

Bill in chancery approved, &c.

II. BE IT ENACTED, *by the General Aſſembly of Maryland*, That the bill and ſuit inſtituted by Samuel Chaſe, Eſquire, (in virtue of the truſt and authority repoſed in him as agent by the law aforeſaid, and his appointment and commiſſion from the governor and council as aforeſaid,) in the court of chancery of Great-Britain, to compel Sylvanus Grove and James Ruſſell to execute their truſt, and to transfer to him the bank ſtock held by them in truſt for this ſtate, and againſt Meſſieurs Ewers and the truſtees of John Buchanan, reſpecting their pretended claims to the ſaid bank ſtock, is hereby approved, ratified and confirmed, and the ſaid Samuel Chaſe, Eſquire, is hereby fully authoriſed to repreſent and act on behalf of this ſtate, in all matters and things concerning the ſaid bank ſtock, and in his name to proſecute the ſaid ſuit in the court of chancery of Great-Britain to final decree; and he is hereby fully inveſted with every right, power and authority, neceſſary for that purpoſe; and the general aſſembly of this ſtate hereby engage to confirm and abide by ſuch decree as ſhall be made in the ſaid cauſe by the lord chancellor of Great-Britain, or ſuch determination of the houſe of lords of that kingdom as ſhall be made on appeal of either party; and this right and power in the ſaid Samuel Chaſe, Eſquire, to commence and proſecute the ſaid ſuit to final decree, ſhall (if neceſſary,) take place from and relate to the date of his commiſſion.

CHAP. LXXVI. Attorney to be admitted, &c

III. AND BE IT ENACTED, That the ſaid agent, in the proſecution of the ſaid ſuit in the court of chancery, be directed, (if neceſſary,) to make or admit the attorney-general of Great-Britain a party of the ſaid ſuit.

Agent to be inſtructed, &c.

IV. AND BE IT ENACTED, That the governor and council be authoriſed to inſtruct the ſaid agent as to his conduct reſpecting his agency, and to direct him to proſecute the ſaid ſuit againſt James Ruſſell, and the other defendants, with all vigour and expedition, and not to make any kind of compromiſe with Ruſſell, or any other of the defendants, and the ſaid agent is hereby directed to obey ſuch inſtructions.

CHAP. LXXVII.

Paſſed 22d of Jan. 1785.

A Supplement to the act (a) to authoriſe the United States in congreſs aſſembled to impoſe and levy a duty of five *per cent.* on imported foreign goods, and all prizes and prize goods, for the payment of the debt contracted by congreſs during the war. Lib. TBH. No. A. fol. 548.

(a) April, 1782, ch. 48.

CHAP. LXXVIII.

An ACT to provide a fund for the relief of the widows and children of the clergy of the proteſtant epiſcopal church in this ſtate. Lib. TBH. No. A. fol. 548.

Preamble.

WHEREAS it hath been repreſented to this general aſſembly by the reverend William Smith, doctor in divinity, the reverend William Weſt, John Andrews and Thomas John Clagett, that they are a committee appointed by and in behalf of the clergy of the proteſtant epiſcopal church in this ſtate, (formerly denominated the Church of England,) to ſolicit an act of incorporation to enable the clergy of the ſaid church to raiſe and manage a fund for providing ſmall annuities for the diſtreſſed widows of the ſaid clergy, and for the education of their children; and this general aſſembly are earneſtly deſirous to promote every pious and charitable deſign for the relief and aſſiſtance of the widows and fatherleſs, and eſpecially thoſe of the reſpectable and uſeful body of clergy of all denominations, who are often obliged, through the uncertainty and ſcantineſs of their ſupport in many places, to leave their families in very neceſſitous circumſtances; therefore,

Clergy incorporated, &c.

II. BE IT ENACTED, *by the General Aſſembly of Maryland*, That the ſaid proteſtant epiſcopal clergy, namely, William Smith, John Gordon, John M'Pherſon, William Thomſon, Samuel Keene, William Weſt, Walter Magowan, John Andrews, Thomas John Clagett, George Goldie, Edward Gantt, Francis Lauder, Joſeph Meſſenger, John Bowie, Walter Harriſon, Thomas Gates, James Wilmer, Hamilton Bell, Francis Walker, John Stewart, Samuel Tingly, Leonard Cutting, Ralph Higinbothom, Maſon Weems and Edward Gantt, junior, and ſuch other clergymen in the orders and communion of the ſaid church as may hereafter become reſidents of this ſtate, and ſhall be contributors to the ſaid funds of the corporation herein erected, and as may be admitted into the ſaid corporation by a majority of the members thereof for the time being, ſhall be, and they and their ſucceſſors are hereby declared to be, one community, corporation and body politic, for ever, by the name of The Corporation for the Relief of the Widows and Children of the Clergy of the Proteſtant Epiſcopal Church in Maryland; and by the ſame name they and their ſucceſſors ſhall and may have perpetual ſucceſſion, and ſhall and may, at all times hereafter, be perſons able and capable in law to purchaſe, take, have and enjoy, to them and their ſucceſſors in fee, or for any leſs eſtate or eſtates, any lands, tenements, rents, annuities, penſions, and other hereditaments, within this ſtate, by the gift, bargain, ſale or deviſe, of any perſon or perſons, bodies politic and corporate, capable to make the ſame; and ſuch lands, tenements, rents, annuities, penſions, and other hereditaments, or any leſs eſtates, rights or intereſts, of or in the ſame, at their pleaſure to alien, ſell, transfer or leaſe, in ſuch manner as they may judge moſt conducive for furthering the pious deſigns of this charitable incorporation, and according to the nature of ſuch eſtate as they may have in the ſame; and alſo that they, and their ſucceſſors, may take and receive any ſum or ſums of money, and any kind, manner or portion, of goods and chattels, that may or ſhall be given, ſold or bequeathed, unto them, by any perſon or perſons, bodies politic or corporate, capable to make a gift, ſale, or bequeſt thereof, and to employ the ſame, either in the immediate payment of annuities to the widows aforeſaid, and other declared purpoſes of this incorporation, or in providing a fund or capital ſufficient to produce an yearly intereſt, revenue or income, for anſwering the good purpoſes of the ſame; provided, that the clear yearly value of the ſaid capital, fund, ſtock, and other hereditaments and real eſtate of the ſaid corporation, do not exceed fifteen thouſand Spaniſh milled dollars of the preſent current weight, namely, ſeventeen pennyweight and ſix grains each dollar, above all taxes and aſſeſſments.

III. AND

III. AND BE IT ENACTED, That the members of the ſaid corporation, and their ſucceſſors, may meet together on the fourth Tueſday in May every year, and at ſuch other time or times, and at ſuch place or places within this ſtate, and upon ſuch public notice given, as may be fixed and agreed upon, for the purpoſes of forming ſuch rules and regulations as may be neceſſary for anſwering and carrying into effect the pious purpoſes of this act, provided ſuch rules and regulations be not repugnant to the conſtitution and laws of this ſtate. May meet annually, &c.

IV. AND BE IT ENACTED, That the ſaid corporation, and their ſucceſſors, by the name aforeſaid, ſhall be for ever hereafter able and capable in law to ſue and be ſued, plead and be impleaded, anſwer and be anſwered unto, defend and be defended, in all or any courts of juſtice, and before all or any judges, officers, or other perſons whatſoever, in all and ſingular actions, matters and demands whatſoever, and that it ſhall and may be lawful for them, and their ſucceſſors, for ever hereafter, to have a common ſeal for their uſe, and in their affairs and buſineſs, and the ſame, at the will and pleaſure of them, and their ſucceſſors, to change, alter, break and make anew, from time to time, as they ſhall think beſt, and ſhall in general have and exerciſe all ſuch rights, franchiſes, privileges and immunities, as by law are incident and neceſſary to corporations of this kind, and which may be neceſſary to the corporation herein and hereby conſtituted and erected, to enable them duly and fully, in the law, to execute all things touching and concerning the deſign and intent of their ſaid incorporation, for the benefit, ſuccour and relief, of the widows of ſuch clergymen in the orders and communion of the proteſtant epiſcopal church aforeſaid, as may or ſhall become contributors to the funds of the ſaid corporation, agreeable to ſuch rules and by-laws as may be eſtabliſhed for the management and payment of annuities to the ſaid widows, and for the education of their children, and ſettling them in ſome uſeful buſineſs or profeſſion. May ſue, &c.

CHAP. LXXIX.

An ACT reſpecting the commerce of this ſtate, to prevent frauds in the cuſtoms, and to direct the duty of naval-officers, and to regulate the conduct of maſters and mariners of merchant veſſels. Lib. TBH. No. A. fol. 551. Paſſed 22d of Jan. 1785.

This act was to continue for ſeven years, &c. It was not afterwards continued, and had before the expiration of the term ceaſed to operate by the adoption of the general government.

CHAP. LXXX.

An ACT reſpecting the appointment of delegates to congreſs. Lib. TBH. No. A. fol. 566.

CHAP. LXXXI.

An ACT for the diſcovery of confiſcated Britiſh property. Lib. TBH. No. A. fol. 567.

BE IT ENACTED, *by the General Aſſembly of Maryland*, That the intendant of the revenue be authoriſed and required, at any time before the firſt day of January, ſeventeen hundred and eighty-ſix, to call on all perſons having confiſcated Britiſh property in their poſſeſſion, or the title papers thereof or relating thereto, to diſcover, make known, and deliver up the ſame; and if the ſaid intendant has probable and good ground to ſuſpect, that any perſon holds the ſame in truſt for any Britiſh ſubject, or conceals the ſame, or any deeds, writings, or evidence of the title to ſuch property, he may and ſhall direct the attorney-general to file a bill in the high court of chancery, on behalf of this ſtate, for the diſcovery of ſuch truſt or concealed property, and for delivering up ſuch deeds, writings, and evidence of title to the ſame, and thereupon proceedings ſhall be had, and decree made, according to the rules of the high court of chancery in ſuch caſes. Papers to be delivered, &c.

II. AND BE IT ENACTED, That if any perſon having poſſeſſion of any confiſcated Britiſh property, and not having a fair claim of title thereto, or having obtained the poſſeſſion of any property formerly belonging to any Britiſh ſubject, in virtue of any gift, grant, ſale, deviſe or conveyance, made or executed ſince the nineteenth of April, ſeventeen hundred and ſeventy-five, and before the firſt of December, one thouſand ſeven hundred and ſeventy-nine, by any perſon declared to be a Britiſh ſubject by the act to ſeize, confiſcate and appropriate, all Britiſh property within this ſtate, with intent and deſign to cover and protect ſuch property from confiſcation, or by any conveyance, gift, grant, ſale or deviſe, made ſince the firſt of December, one thouſand ſeven hundred and ſeventy-nine, by any perſon declared a Britiſh ſubject as aforeſaid, not *bonâ fide* in purſuance of ſome contract or agreement made before that day in writing, or for the juſt payment of a debt due before that day by the perſon making ſuch grant, conveyance or ſale, to the perſon receiving the ſame, and ſhall not diſcover the ſame property, and the circumſtances under which the ſame is held, and deliver up the ſame and the title papers Forfeiture on certain perſons, &c.

CHAP. LXXXI.

papers thereof to the intendant of the revenue, by the firſt day of January, in the year ſeventeen hundred and eighty-ſix, ſuch perſon ſhall forfeit one fourth of the value of the property; and if any perſon having poſſeſſion of any ſuch property ſhall voluntarily diſcover the ſame, the intendant ſhall have full power and authority to ſell the ſame to ſuch perſon at a reaſonable price, ſecured to be paid to this ſtate, and after the firſt day of January, ſeventeen hundred and eighty-ſix, the intendant, on waving the penalty, may direct a bill to be filed as aforeſaid, againſt any perſon having poſſeſſion of ſuch property.

CHAP. LXXXII.

Paſſed 22d of Jan. 1785.

An ACT to empower Charles Steuart, adminiſtrator of John Bennett, to diſpoſe of the real eſtate of the ſaid John Bennett for the payment of his debts. Lib. TBH. No. A. fol. 569. A Private Act.

CHAP. LXXXIII.

An ACT to continue the acts of aſſembly therein mentioned. Lib. TBH. No. A. fol. 570.

Several acts continued.

BE IT ENACTED, *by the General Aſſembly of Maryland*, That an act of aſſembly, entitled, An act for the preſervation of the breed of fiſh, made at a ſeſſion of aſſembly begun and held at the city of Annapolis the twenty-fourth day of May, ſeventeen hundred and ſixty-eight, (a) be and is hereby continued, and ſhall be and remain in full force for and during the term of ſeven years, and to the end of the next ſeſſion of aſſembly which ſhall happen thereafter; that another act of aſſembly, entitled, An act to prevent the exportation of flour not merchantable from George-town, in Frederick county, made at a ſeſſion of aſſembly begun and held at the city of Annapolis the ſecond day of October, ſeventeen hundred and ſeventy-one, (b) be and is hereby continued, and ſhall be and remain in full force for and during the term of two years, and to the end of the next ſeſſion of aſſembly which ſhall happen thereafter; that another act of aſſembly, entitled, An act to oblige infected ſhips and other veſſels coming into this province to perform quarantine, made at a ſeſſion of aſſembly begun and held at the city of Annapolis the firſt day of November, ſeventeen hundred and ſixty-ſix, (c) be and is hereby continued, and ſhall be and remain in full force until the end of the next ſeſſion of aſſembly; that another act of aſſembly, entitled, An act to eſtabliſh a market in Baltimore-town, in Baltimore county, and to regulate the ſaid market, made at a ſeſſion of aſſembly begun and held at the city of Annapolis the ſixteenth day of November, ſeventeen hundred and ſeventy-three, (d) be and is hereby continued, and ſhall be and remain in full force for and during the term of ſeven years, and to the end of the next ſeſſion of aſſembly which ſhall happen thereafter; that another act of aſſembly, entitled, An act for aboliſhing June county courts, made at a ſeſſion of aſſembly begun and held at the city of Annapolis the twenty-third day of March, ſeventeen hundred and ſeventy-four, (e) be and is hereby continued, and ſhall be and remain in full force for and during the term of ſeven years, and to the end of the next ſeſſion of aſſembly which ſhall happen thereafter, ſo as not to affect the courts directed by an act paſſed this ſeſſion to be held in June; that another act of aſſembly, entitled, An act for regulating the gauging of caſks in Baltimore-town, made at a ſeſſion of aſſembly begun and held at the city of Annapolis the twenty-third day of March, ſeventeen hundred and ſeventy-four, (f) be and is hereby continued, and ſhall be and remain in full force until the end of the next ſeſſion of aſſembly; that another act of aſſembly, entitled, An act to aſcertain officers fees in ſpecial courts, made at a ſeſſion of aſſembly begun and held at the city of Annapolis the tenth day of May, ſeventeen hundred and eighty-one, (g) be and is hereby continued, and ſhall be and remain in full force for and during the term of three years, and to the end of the next ſeſſion of aſſembly which ſhall happen thereafter; that another act of aſſembly, entitled, An act for the ſpeedy recovery of ſmall debts out of court, made at a ſeſſion of aſſembly begun and held at the city of Annapolis the ſixteenth day of June, ſeventeen hundred and ſeventy-ſeven, (h) be and is hereby continued, and ſhall be and remain in full force for and during the term of ſeven years, and to the end of the next ſeſſion of aſſembly which ſhall happen thereafter; that another act of aſſembly, entitled, An act relating to coſts in criminal caſes, made at a ſeſſion of aſſembly begun and held at the city of Annapolis the fifth day of November, ſeventeen hundred and eighty-one, (i) be and is hereby continued, and ſhall be and remain in full force for and during the term of three years, and to the end of the next ſeſſion of aſſembly which ſhall happen thereafter; that another act of aſſembly, entitled, An act to regulate public ferries, made at a ſeſſion of aſſembly begun and held at the city of Annapolis the fifth day of November, ſeventeen hundred and eighty-one, (k) be and is hereby continued, and ſhall be and remain in full force until the end of the next ſeſſion of aſſembly; that another act of aſſembly, entitled, An act to revive and continue the act of aſſembly to regulate the militia, and to empower

(a) May, 1768, ch. 4. (b) October, 1771, ch. 15. (c) November, 1766, ch. 25. (d) November, 1773, ch. 23. (e) 1774, ch. 5. (f) 1774, ch. 23. (g) May, 1781, ch. 24. (h) June, 1777, ch. 12. (i) November, 1781, ch. 11. (k) November, 1781, ch. 22.

empower the governor to call out the militia to ſuppreſs inſurrections and quiet diſturbances, made at a ſeſſion of aſſembly begun and held at the city of Annapolis the third day of November, ſeventeen hundred and eighty-three, (l) be and is hereby continued, and ſhall be and remain in full force until the end of the next ſeſſion of aſſembly; that all thoſe parts of an act of aſſembly, entitled, An act concerning eſtates tail and the juriſdiction of the county courts, made at a ſeſſion of aſſembly begun and held at the city of Annapolis on the fifteenth day of June, one thouſand ſeven hundred and ſeventy-three, (m) which relates to the juriſdiction of county courts, be and they are hereby continued, and ſhall be and remain in full force until the end of the next ſeſſion of aſſembly; that another act of aſſembly, entitled, An act for the regulation of the ſtaple of tobacco, made at a ſeſſion of aſſembly begun and held at the city of Annapolis on the twelfth day of June, ſeventeen hundred and eighty, (n) and an act of aſſembly, entitled, A ſupplement to the act for the regulation of the ſtaple of tobacco, made at a ſeſſion of aſſembly begun and held at the city of Annapolis the ſeventeenth day of October, ſeventeen hundred and eighty, (o) and the fourth ſection of an act of aſſembly, entitled, An additional ſupplement to the act for the regulation of the ſtaple of tobacco, made at a ſeſſion of aſſembly begun and held at the city of Annapolis the tenth day of May, ſeventeen hundred and eighty-one, (p) be and they are hereby continued, and ſhall be and remain in full force until the end of the next ſeſſion of aſſembly; that another act of aſſembly, entitled, An act to continue an act, entitled, An act for the regulation of officers fees, and for other purpoſes, made at a ſeſſion of aſſembly begun and held at the city of Annapolis the ſeventeenth day of October, ſeventeen hundred and eighty, (q) be and is hereby continued, and ſhall be and remain in full force for and during the term of three years, and until the end of the next ſeſſion of aſſembly which ſhall happen thereafter.

(l) November, 1783, ch. 1. (m) June, 1773, ch. 1. (n) June, 1780, ch. 14. (o) October, 1780, ch. 39.
(p) May, 1781, ch. 16. (q) October, 1780, ch. 23.

CHAP. LXXXIV.

An ACT to impoſe duties on certain enumerated articles imported into and exported out of this ſtate, and on all other goods, wares and merchandiſe, imported into this ſtate. Lib. TBH. No. A. fol. 573.

Paſſed 22d of Jan. 1785.

This act was to continue ſeven years, &c. and was not afterwards continued. See the note under ch. 79.

CHAP. LXXXV.

A Supplement to an act, * entitled, An act to impoſe duties on certain enumerated articles imported into and exported out of this ſtate, and all other goods, wares and merchandiſes, imported into this ſtate. Lib. TBH. No. A. fol. 581.

* Chapter 84.

To continue three years. Expired.

CHAP. LXXXVI.

An ACT for the payment of the journal of accounts. Lib. TBH. No. A. fol. 582.

END OF THE FIRST VOLUME.

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